LEGISLATIVE COUNCIL

Tuesday 31 August 1982

The PRESIDENT (Hon. A. M. Whyte) took the Chair at 2.15 p.m. and read prayers.

SUPPLY BILL (No. 2)

His Excellency the Governor, by message, intimated his assent to the Bill.

PAPERS TABLED

The following papers were laid on the table:

By the Attorney-General (Hon. K. T. Griffin):

Pursuant to Statute—

Electricity Trust of South Australia—Report, 1981-82.

Road Traffic Act, 1961-1982—Regulations—Traffic Prohibition (Noarlunga).

South Australian Superannuation Board—Report, 1980-81.

By the Attorney-General, on behalf of the Minister of Local Government (Hon. C. M. Hill):

Pursuant to Statute—

Crown Lands Act, 1929-1980—Section 5 *(f)*—Statement of Land Resumed.

Corporation of Mount Gambier—By-law No. 7—Traffic.

By the Minister of Community Welfare (Hon. J. C. Burdett):

Pursuant to Statute—

Motor Fuel Distribution Act, 1973-1981—Regulations—Sale of Motor Fuel at Racing Circuit.

QUESTIONS

Mr PETER OWENS

The Hon. C. J. SUMNER: I seek leave to make a brief explanation before directing questions to the Attorney-General on the subject of the imprisonment of Mr Peter Owens and the Elders share inquiry.

The PRESIDENT: Is leave granted?

The Hon. N. K. Foster: No.

The PRESIDENT: Leave is not granted.

The Hon. C. J. SUMNER: My questions to the Attorney-General are as follows:

1. Is the Attorney-General aware that the South Australian community is perplexed by the recent gaoling of Advertiser Newspapers Chief Executive, Mr Peter Owens, as no reason has been advanced either by Mr Owens or the board of Advertiser Newspapers Limited or Television Broadcasters Limited for the action taken by him in refusing to answer questions put to him by Mr J. W. von Doussa, who is acting as special investigator into the Elders share trading during a takeover bid by the Bell Group, owned by Robert Holmes a Court?

2. Is the Attorney-General aware that the absolute silence from the boards of the companies has been of particular interest and speculation in the community?

3. Has the Attorney-General compared the attitude of the boards of these public companies on this matter of public concern with what would be required of a Government, as no Government could conduct activities in such silence and secrecy?

4. Does the Attorney-General believe that a Government would be required to satisfy the public disquiet about such a matter?

5. Is the Attorney-General aware that rumours are rife but no explanations are offered by the boards of these companies?

6. Is the Attorney-General aware that it has been suggested that Mr Owens has a conscientious objection to the new takeovers legislation under which this inquiry is being carried out; further, that it has also been suggested that there was no overseas company involved; further, that other speculation is that other newspaper interests were involved in an attempt to block Mr Holmes a Court's growing influence and power and that it has been put to me by one of the younger business community who respects Mr Owens that Mr Owens has been made a scapegoat in the whole affair?

The Hon. N. K. Foster: It is a business matter—

The PRESIDENT: Order!

The Hon. C. J. SUMNER: My questions continue:

7. Does the Attorney-General believe that with the silence from the company boards this rumour and speculation will continue?

8. Does the Attorney-General realise that the other important question of public concern is how this impasse will be resolved and that the question is asked, what view does the Government take and what options are now open to Mr von Doussa Q.C. and in particular does Mr von Doussa now have the power to question the members of the boards of these companies?

9. Does the Attorney-General have any plans to break the impasse in the Elders investigation caused by the gaoling of Mr Owens?

10. Has the Attorney-General discussed the matter with Mr von Doussa?

11. What options are now open to Mr von Doussa in pursuing the inquiry?

The Hon. K. T. GRIFFIN: The editorial of the *Financial Review* on Friday of last week made some reference to the attitude of the board of Advertiser Newspapers Limited and embarked upon some speculative editorial journalism, but I am not prepared to embark on that sort of speculation. The question of Mr Owens is one that is in the hands of the Supreme Court, which has the responsibility for dealing with matters of contempt, and I do not intend in any way to comment upon the decision of that court, nor do I intend to make any comment on the special investigator's possible courses of action. At this stage it is a matter for the special investigator and, if there is rumour so-called rife in the community, which I do not believe, then it will have to continue running.

The Hon. C. J. Sumner: You can't be speaking—

The Hon. N. K. Foster: He could be called before the bar of the House.

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: I believe that it would be utterly improper for me to speculate upon the options available to the special investigator, to the board of Advertiser Newspapers Limited, or to Mr Owens. The matter is currently before the courts.

The Hon. N. K. FOSTER: I wish to ask a supplementary question of the Attorney-General in relation to the matter raised by the Leader of the Opposition. Will the Attorney-General inform the Chamber whether or not the Securities Commission and its Federal powers are sufficient to further question the person who is now in prison for contempt?

The Hon. K. T. GRIFFIN: I am satisfied that the powers within the Securities Industry Act of South Australia, under which the investigation was originally established, are adequate, as are the powers within the co-operative scheme for regulating companies and securities throughout Australia. I am also satisfied that the National Companies and Securities Commission and any inspector who may be appointed by that commission have adequate powers in circumstances

similar to the Elders inquiry. Ultimately, the strength of any powers depends on the attitude of the person affected by the invoking of those powers. However, there is no legislation to make absolute provision for that.

The Hon. N. K. FOSTER: I desire to ask a further supplementary question. Is the Attorney-General giving a blunt answer 'Yes, there are powers within the Federal sphere to question the person concerned'? If so, is it necessary for that person to be extradited to an area of Commonwealth jurisdiction so that proceedings can be taken?

The Hon. K. T. GRIFFIN: It is not a matter of Commonwealth jurisdiction. The new Co-operative Companies and Securities Scheme is a co-operative scheme involving Commonwealth legislation. It is legislation which involves the Australian Capital Territory; it is then picked up by various State application laws and applied within the various States participating in the scheme. It is not a matter of invoking Federal jurisdiction. This particular inquiry was initiated before the complete securities scheme came into operation. I am satisfied that, at whatever point it was invoked, the powers of the inquiry are adequate and that there is no need to remove any inquiry to a different jurisdiction from that applying at the present time.

DEVONBOROUGH DOWNS

The Hon. B. A. CHATTERTON: I seek leave to make a short explanation before asking the Attorney-General, representing the Minister of Lands, a question about the sale of Devonborough Downs Station.

Leave granted.

The Hon. B. A. CHATTERTON: I am sure all honourable members have read a report in the *Advertiser* about the negligence of the Pastoral Board in its administration of pastoral lands in this State. Since reading that report it has come to my attention that a pastoral station in the North-East of this State, Devonborough Downs, has been advertised for sale on 16 and 17 September. In advertising this particular pastoral holding the agent, Elder Smith, has informed potential buyers that between 1958-59 and 1980-81 the station averaged a wool clip of 195 bales per year.

The covenant that covers the particular lease, which is applied to the lease and should be enforced by the Pastoral Board, is for 3 500 sheep. If one does a series of calculations there is absolutely no way that 3 500 sheep could, on average, produce 195 bales of wool over that period. Therefore, it is fairly obvious that the property must have been overstocked at a level of between 50 and 100 per cent per year.

First, has the Pastoral Board investigated the situation on Devonborough Downs station, in view of the fact that it is being advertised with a wool clip which indicates gross overstocking for a long period? Secondly, has the Pastoral Board reported to the Minister on the situation and, in view of the evidence that overstocking has occurred, will prosecutions against the breach of the covenant be launched against the owners of Devonborough Downs? If not, why not?

The Hon. K. T. GRIFFIN: I will refer those questions to the Minister of Lands, and the Minister of Local Government will bring down a reply.

Mr PETER OWENS

The Hon. C. J. SUMNER: I desire to ask a supplementary question to the question which I asked earlier but which the Attorney did not answer. Has the Attorney-General discussed the matter of the imprisonment of Mr Owens and the Elders share inquiry with Mr Von Doussa and, if he has, what has been the result of those discussions?

The Hon. K. T. GRIFFIN: There have not been any discussions with the special investigator since Mr Owens' imprisonment.

MURDERER

The Hon. N. K. FOSTER: Can the Attorney-General say whether it is a fact that a self-confessed murderer in the North of this State has been released on bail of about $5 000, and can an explanation be sought from those responsible for such a release?

The Hon. K. T. GRIFFIN: I will have some inquiries made. If the Hon. Mr Foster will give me the name, in due course I can have the matter checked more carefully, and I will let him have a reply.

FUEL FOR NUCLEAR REACTORS

The Hon. R. J. RITSON: Has the Attorney-General, representing the Minister of Mines and Energy, a reply to my question of 12 August about fuel for nuclear reactors?

The Hon. K. T. GRIFFIN: The concept of the producer country becoming involved in processing of mined uranium through to the manufacture of fuel elements, and also being responsible for reprocessing and ultimate waste storage is one which has been frequently put forward as a rational way of ensuring proper and safe use of the contained energy. It clearly involves matters of national and international responsibility, and may well be a matter to be considered in conjunction with the Federal Government at some future date.

The immediate tasks of the Government, in conjunction with the Commonwealth Government, are to seek the establishment in the State of conversion facilities through the Uranium Conversion Joint Venture Group, and of enrichment facilities through the Uranium Enrichment Group of Australia. The Government is therefore addressing itself to the progression of those tasks.

HOSPITAL SUPPLIES

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking the Minister of Community Welfare, representing the Minister of Health, a question about hospital supplies.

The PRESIDENT: Is leave granted?

The Hon. N. K. Foster: No.

The PRESIDENT: Leave is not granted.

SOCIAL INDICATORS

The Hon. L. H. DAVIS: Has the Minister of Community Welfare a reply to the question that I asked on 10 August about social indicators?

The Hon. J. C. BURDETT: The Department for Community Welfare's Social Indicators Programme utilises 289 separate data items collected from each local government area in South Australia. The data are collected from a number of Government agencies, including the Australian Bureau of Statistics, the Department for Community Welfare, Department for Social Security, Education Department, Health Commission, Electricity Trust and A.L.D.A. The data items are updated from time to time, and a listing of those items current at December 1981 will be found in the

publication *'A User Guide to the Social Indicators System'*, December 1981, which is available from the department.

The indicator system has been used to assist in the deployment of staff, in the selection of areas for the establishment of community welfare centres and for the distribution of emergency financial assistance moneys. In such applications, variables are selected which clearly relate to the type of service delivery under consideration. In the emergency financial assistance example quoted above, the following data items were used: children 0-15 years or students 16-24 years; aged pension recipients; widows with children 0-15 years or students 16-24 years; sickness benefit recipients; supporting parents benefit recipients; persons 18-44 years on unemployment benefits 6+ months; and unskilled workers as at June 1976.

The indicator system contains a very broad range of statistics and is therefore applicable to the solution of a wide variety of problems of both a practical and experimental nature. This system has proved to be a flexible and inexpensive statistical data base permitting students, planners, welfare workers and academics to define social needs, to define aspects of the South Australian community and to apply departmental resources to the resolution of need without the requirement to collect and collate social statistics on a case-by-case basis. I seek leave to have inserted in *Hansard*, without my reading it, a paper which explains in detail how these data items have been used in the social indicators (E.F.A. modelling) system. That paper is of a statistical nature.

Leave granted.

SOCIAL INDICATORS MODEL

The social indicators model used in E.F.A. allocation consists of seven data items taken from the department's social indicators programme. Below is a list of the items and weights allocated to each item.

Social Indicators Programme Items

Item:		Weight
1.	Children 0-15 years or students 16-24 years	0.76
2.	Aged pension recipients	1.56
3.	Widows with children 0-15 years or students 16-24 years	3.42
4.	Sickness benefit recipients	7.02
5.	Supporting parents benefit recipients	20.32
6.	Persons 18-44 years on unemployment benefits 6 + months	39.63
7.	Unskilled workers at June 1976	27.29

The weights are designed to give more emphasis to those items with the potential to produce a greater demand on E.F.A. resources, for example, long-term unemployment in a region is weighted higher than the number of children in the region. Weighting values have been determined via actual observation of the occurrence of those categories of recipient with E.F.A.

The data items for each region are extracted from the social indicators programme and the weights applied to give a final weighted value for each item. The weighted values are totalled to give a total weighted score for the region, and the percentage for the six regions is calculated, giving the final percentage allocation for the regions. A brief example may best illustrate the procedure.

	Region A:				Region B:		
Item No.	Value	Weight	Weighted Value	Item No.	Value	Weight	Weighted Value
1	5 364	0.76	4 076	1	4 656	0.76	3 539
2	2 372	1.56	3 700	2	3 465	1.56	5 405
3	765	3.42	2 616	3	656	3.42	2 244
4	210	7.02	1 474	4	109	7.02	765
5	520	20.32	10 566	5	650	20.32	13 208
6	1 565	39.63	62 021	6	2 049	39.63	81 202
7	3 464	27.29	94 533	7	4 095	27.29	111 752
Total Weighted Score			177 512				218 115

Total Score for Regions A and B = 395 627.
Therefore
Region A receives $\frac{177\,512}{395\,627} \times 100 = 44.9$ per cent of funds
Region B receives $\frac{218\,115}{395\,627} \times 100 = 55.1$ per cent of funds

Eighty per cent of E.F.A. funds are distributed to the regions using the social indicators model, and the remaining 20 per cent distributed evenly across the regions to compensate for geographical and other differences.

Mr PETER OWENS

The Hon. C. J. SUMNER: Will the Attorney-General, in view of the discussions that he has had with Mr von Doussa, special investigator, prior to the imprisonment of Mr Owens, provide the Council with details of those discussions and the results and conclusions that arose from them?

The Hon. K. T. GRIFFIN: The Leader is presuming too much. I have not had discussions with the special investigator as a result of which Mr Owens would have been imprisoned by the Supreme Court for contempt.

The Hon. C. J. Sumner: I am not suggesting that.

The Hon. K. T. GRIFFIN: The Leader did, actually.

The Hon. C. J. Sumner: You said in answer to a previous question that after he had been in gaol you had not had any discussion—

The Hon. K. T. GRIFFIN: Yes.

The Hon. C. J. Sumner: That implies that you had discussions before that.

The Hon. K. T. GRIFFIN: The Leader is presuming too much.

The Hon. C. J. Sumner: Answer the question properly, then.

The Hon. K. T. GRIFFIN: I will answer it in the way that I want to. I have deliberately avoided having any detailed discussions with the special investigator during the whole course of his investigation, believing that it was proper for him independently to conduct his own investigation under the provisions of the Securities Industry Act. There have been several occasions on which the progress of the investigation has been discussed, largely in response to questions that the Leader has asked periodically about when the inquiry would be completed. In any event, whatever dis-

cussions I have with any person in such a position I am not prepared to disclose to the Leader.

CASH MANAGEMENT TRUSTS

The Hon. FRANK BLEVINS: Has the Attorney-General an answer to a question that I asked on 8 June about cash management trusts?

The Hon. K. T. GRIFFIN: All cash management trusts that invite the public to deposit funds must issue a statement pursuant to Division 6 Part IV of the Companies South Australia Code, registered by the Corporate Affairs Commission in the State where the offers are made. The requirements of this statement are governed by the Companies Code, and the responsibilities of the managers and their representatives are governed by the licensing provisions, Part IV of the Securities Industry Code.

Governments do not have control over where cash management trusts invest their funds. This is limited entirely to the area where the trust deed directs. For a Government to gain such control, it would have to legislate specifically to control the 'authorised investment' section of the various trust deeds. Such action by any one Government acting alone would be pointless because cash management trusts operate across Australia.

If the trusts were obliged to make money available for housing, they would presumably wish to do so by lodging funds with traditional sources of housing finance such as banks. However, it is not readily apparent that there would be any effective way of ensuring that the banks would increase their lending for housing accordingly, rather than substituting such funds for their own funds and increasing their lending in more profitable areas.

It is unlikely that a decision to require cash management trusts to invest a proportion of their funds at comparatively low rates with banks would have much effect, if any, on housing interest rates. The most likely results of the regulation of cash management trusts would be a reduction in the rate of return to small investors, a reduction in the borrowing costs of banks but very little reduction in the cost of borrowing for home buyers.

PARLIAMENTARY SALARIES TRIBUNAL

The Hon. N. K. FOSTER: I desire to ask the Attorney-General, representing the Treasurer, a question regarding salaries and wages. First, is it a fact that the Government intends to request the Parliamentary Salaries Tribunal to consider further aspects of wage movements and cost of living factors, and is the Government prepared to introduce a Bill to that effect?

Secondly, will the Attorney-General, on behalf of the Treasurer, undertake to include in any legislation that may be brought before this Chamber in respect of the Parliamentary Salaries Tribunal *(a)* salaries paid to senior staff at the university (professors, etc.) where those salaries are met by the Government and, *(b)*, salaries that are indirectly paid to professional and senior staff of consultants to the Government? Can the Attorney-General provide the number and names of such consultancy firms and advisers, the purpose for the consultancy, and the cost of the salaries and payments to advisers where such payments are in part or wholly the responsibility of the Government?

Thirdly, can the Attorney-General include in the legislation the same principle as has already been published in the press, namely, that the legislation take into account the Commissioner of Police and all senior officers and staff in the Police Department; the salaries paid by special security firms, where the cost is borne partly or wholly by the Government; the cost of salaries to media advisers or salaries of back-up personnel where they are paid by the Government; the salaries of all members of company trusts and large business organisations in the State where Government costs are involved; the salaries of outside employees such as electrical fitters, turners, carpenters and other trade classifications; the salaries paid to senior personnel (by appointment and profession), and to the staff of local government councils or corporations; as well as the salaries paid to the Adelaide City Council professional and senior staff?

Fourthly, will the Attorney-General, as it is intended to include politicians under the Parliamentary Salaries Tribunal, take into consideration the legislative steps necessary to include judges, magistrates, and members assisting at Government-sponsored inquiries and royal commissions? Finally, will the Attorney-General inform this Council of the Government's intention in relation to the whole wage structure being put on an equitable basis and say whether or not the Government intends to erode wage claims in the community in the area that trade union movement accepts as its rightful and proper responsibility?

The Hon. K. T. GRIFFIN: The Premier has indicated that the amending Bill, which will be introduced, will relate only to the Parliamentary Salaries Tribunal. Members may remember that in the last session a Bill was introduced that sought to include a requirement that, among other things, the Parliamentary Salaries Tribunal should take into consideration economic conditions. I think that also was—

The Hon. Frank Blevins: What happened to that provision?

The Hon. K. T. GRIFFIN: That was defeated in this Council.

The Hon. Frank Blevins: No, it wasn't.

The Hon. K. T. GRIFFIN: Yes, it was.

The Hon. Anne Levy: Not that provision.

The Hon. K. T. GRIFFIN: That provision was defeated in this Council.

The Hon. Frank Blevins: It was withdrawn.

The Hon. K. T. GRIFFIN: No, it was not; it was defeated in this Council by the Opposition and the Australian Democrat. I suspect that there may have been other reasons for its defeat, but it was defeated in this Council. The Premier has indicated that the Bill, in so far as it affects the Parliamentary Salaries Tribunal, will be reintroduced into the Parliament.

The Hon. C. J. Sumner: The bit relating to the Parliamentary Salaries Tribunal was not taken out in this Council.

The Hon. K. T. GRIFFIN: Yes, it was.

The Hon. C. J. Sumner: You check the Bill.

The Hon. K. T. GRIFFIN: I will. That Bill sought to—

Members interjecting:

The PRESIDENT: Order!

The Hon. C. J. Sumner: That part of the Bill was not touched by the Council.

The Hon. Frank Blevins: You withdrew that provision.

The PRESIDENT: Order! The Hon. Mr Blevins—

The Hon. Frank Blevins: Why always me? Am I the only name you can think of?

The PRESIDENT: Order! The Hon. Mr Blevins seems to be so persistent. If he wishes to ask a question, I would like him to frame the question properly and then ask it.

The Hon. K. T. GRIFFIN: The Bill that was originally introduced dealt with a whole range of tribunals and included teachers, the Conciliation and Arbitration Commissioner—

The Hon. N. K. FOSTER: I rise on a point of order. I do not know how you, Mr President, can deal with this matter, which is most vexing to me, my having raised it. Can you, Mr President, advise this Council, prior to the answer being concluded, whether or not the Bill was laid aside for 14 days, whether or not it was withdrawn or

whether or not certain clauses were subject to considerable negotiation?

The PRESIDENT: If the honourable member wishes to ask me that question, I will see what I can do.

The Hon. K. T. GRIFFIN: A number of bodies were involved in that legislation. Ultimately, it only applied to about three or four, but there were others, including the Parliamentary Salaries Tribunal.

The Hon. C. J. Sumner: But they weren't taken out of the Bill by the Legislative Council. The Parliamentary Salaries Tribunal was not taken out of the Bill by the Legislative Council.

The Hon. K. T. GRIFFIN: Obviously, there is a great deal—

The Hon. N. K. Foster: The Hon. Mr Brown took them out, if you want to know. He negotiated with certain people on this side of the Chamber. That's what happened.

The Hon. K. T. GRIFFIN: I do not think that the Opposition is interested in the answer.

The Hon. N. K. Foster: I am.

The PRESIDENT: Order! I ask honourable members to come to order and listen to the answer.

The Hon. K. T. GRIFFIN: I will certainly obtain all the details for the Hon. Mr Foster. I was trying to put the question in the context of the Premier's indication that the Bill would be introduced, and I was relating it only to the Parliamentary Salaries Tribunal. So, for the purposes of that Bill, the other areas to which the Hon. Mr Foster has referred will not in any way be affected by the legislation.

I will refer that question to the Treasurer and bring back a reply. I have already indicated the extent to which the Premier is likely to go in answering the question, because what the Premier announced relates to the Parliamentary Salaries Tribunal only. Some areas are beyond the competence of the State Government. I refer, for example, to the university—

The Hon. Frank Blevins: Running the State is beyond the competence of this Government.

The PRESIDENT: Order!

The Hon. K. T. GRIFFIN: If there are areas in which the matter can be taken further for the honourable member, I shall have inquiries made and bring back a reply.

The Hon. N. K. FOSTER: The purport of my question was 'if not, why not?' in relation to magistrates and judges. Will the Attorney-General seek from his Ministerial colleague, the Minister of Community Welfare, representing his colleague, the Minister of Industrial Affairs, information on what discussions that Minister had with Mr Milne during the passage of the Bill and whether or not those discussions led to the withdrawal of the Parliamentary Salaries Tribunal and other organisations from the framework of that legislation?

The Hon. K. T. GRIFFIN: I will certainly do that and bring back a reply.

TAX EVASION

The Hon. C. J. SUMNER: Will the Attorney-General say when he was asked to inquire into tax avoidance in South Australia, who is conducting the inquiry, when the inquiry is likely to be completed, and whether the report will be tabled in Parliament?

The Hon. K. T. GRIFFIN: It was well over a week ago when the Premier made a request for some inquiry as to the extent of tax evasion in South Australia. That inquiry was directed principally to the Corporate Affairs Commission, presumably because the commission is probably the only agency in South Australia that might have even a remote involvement in detecting the extent of Federal tax evasion in this State. The commission, as honourable members know, was established principally as an agency for the regulation of companies, but it also has responsibility for co-operatives, associations and business names.

Its principal responsibility is to provide a registry of corporate bodies and companies and to ensure that the provisions of the companies and securities codes are complied with by corporations carrying on business in South Australia.

So, even though the Corporate Affairs Commission has been requested to provide a report to me, and thus to the Premier, it is unlikely to be able to have access to the vital information that is really necessary to determine the extent of evasion in South Australia, as that information is solely in the area of the Commonwealth Taxation Office.

I think it should be remembered in that context that the McCabe and LaFranchi inquiry in Victoria started in 1978, by direction of the then Attorney-General to the Corporate Affairs Commission in that State, to inquire into breaches of the companies legislation by one company and a number of other apparently related companies. It was only in the course of that investigation as to whether or not there had been breaches of the companies legislation in that State that, almost as a coincidence, the investigator discovered some tax evasion schemes. So, in the operation of the Corporate Affairs Commission in South Australia, that is probably the means by which it would, during the course of an investigation, become aware of tax evasion. When that information becomes available ordinarily it is made available to the appropriate Federal authorities, which then undertake the continuation of such an investigation.

I replied some weeks ago to the Leader of the Opposition, when he asked me a question about companies that had been struck off in this State and about what the relationship was between the Corporate Affairs Commission and the Commonwealth Taxation Office in Adelaide. I indicated then that there was very close consultation in relation to companies where the Commonwealth Taxation Commissioner might be interested in the activities of the company or where, during the course of an investigation of or inquiry into a particular company, the Corporate Affairs Commission might discover information of interest to Federal taxing authorities. It is in that context that the Corporate Affairs Commission in this State will provide a report to me, and thus to the Premier.

I should add that, in so far as State revenue laws are concerned, whenever there is a suggestion of any evasion of such laws, the appropriate authorities within the State investigate that and, if they can gain sufficient evidence to prosecute, they certainly do so. Honourable members will recall that last year we introduced some fairly comprehensive amendments to the Stamp Duties Act to get at tax avoidance schemes and close loop-holes in the State stamp duties legislation. Wherever there is a loop-hole that would warrant legislative action, the Government has demonstrated that it is prepared to take that action within the Parliament in order to close the loop-hole.

I am not sure at this stage how long the Corporate Affairs Commission might take to prepare and complete a report. It may be several weeks before some indication of that is received from the commission.

The Hon. J. R. CORNWALL: Is the Attorney-General aware of any South Australian companies that have been involved in so-called bottom of the harbor schemes? Also, has he taken active steps to find out whether any South Australian companies have been involved, and has he been supplied with copies of the Costigan Reports, both those published and those at present remaining confidential? If not, does the Attorney-General intend to ask his Federal colleague, Senator Durack, for copies of those reports?

The Hon. K. T. GRIFFIN: Certainly, there is no indication that South Australian companies are involved in the so-called bottom of the harbor schemes. I am gaining access to a copy of the published Costigan Report, but I am not seeking a copy of the confidential reports. They are the property of the Commonwealth Government, and the Commonwealth Attorney-General in particular. If any breaches of the South Australian law are involved, the Federal Attorney-General will inform me of that in due course. It must be remembered that in the Costigan Report the so-called bottom of the harbor schemes are breaches of Federal taxation law, and there is no way in which any State Corporate Affairs Commission could have become aware of that other than in the course of an inquiry into breaches of companies legislation.

The Costigan inquiry was expressly established for the purpose of looking at breaches of Federal law. If one looks at what is happening, one obviously must have some information or a lead on which to base an inquiry before one can begin investigations. The Costigan Report is essentially in the Commonwealth arena. If in any way the confidential copies indicate that any South Australian company has committed any breach of South Australian law, we will receive information on that. If any assistance is required by the Commonwealth Attorney-General in prosecuting a Federal avoidance, this Government and I will be prepared to co-operate with the Federal Government in that respect.

The Hon. N. K. FOSTER: Does the Attorney-General regard the unpublished reports, those reports that are regarded as confidential, as protecting those in the community who may be guilty? Can he say, if the contents of the Costigan unpublished or confidential reports are true, why they are not published and when members of the public in this country are to be regarded as adults and not children? If the answer to my questions is, 'Yes', does the Attorney-General consider that it is a dereliction of duty by those who compiled the reports not to have the public informed of the reports in their entirety?

The Hon. K. T. GRIFFIN: All I know about the unpublished reports is that the investigator himself has asked that they—

The Hon. N. K. Foster: I know he has and I think he's wrong.

The Hon. K. T. GRIFFIN: The information I have is that the investigator himself has requested that those two reports be not published because they contain information which is being used as the basis for further inquiries by Costigan. If that is correct, and I believe it is, it would be quite improper, in view of the investigator's request, to table those reports. In reply to the honourable member's first question, I do not believe that the reports are being withheld to protect those who may be guilty. As I have said, I understand that they are being withheld on the information and at the request of the investigator himself.

The Hon. C. J. SUMNER: I desire to ask a supplementary question about the inquiry into tax avoidance. Will the Attorney-General indicate to the Council whether the Corporate Affairs Commission report on tax avoidance will be tabled in Parliament when it becomes available?

The Hon. K. T. GRIFFIN: I am certainly not in a position to indicate that at this stage.

COMIN' AT YA!

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Attorney-General a question about the film *Comin' at ya!*

The PRESIDENT: Is leave granted?

The Hon. N. K. Foster: No.

The PRESIDENT: Leave is not granted.

The Hon. ANNE LEVY: Will the Attorney-General consult with the management of the Capri Theatre about the showing of the film *Comin' at ya!* at 11 a.m., 2 p.m., and 5 p.m. during the school holidays, in view of the fact that, obviously, these are times when an audience of schoolchildren could be expected to view the film, and in view of the fact that several people have complained to me about the type of film which is being shown at these times, even though it has an 'M' classification? An audience composed very largely of children is viewing this film which shows, in the words of one person who spoke to me, gross exploitation of women. The film shows a group of women in their underclothes throughout the entire film; women rounded up like cattle, laid out and tied down in the sun; women treated as property; and a naked woman covered only by a towel while a man nuzzles her breast and then moves down her body.

The Hon. L. H. Davis: Is this for general exhibition?

The Hon. ANNE LEVY: No, it has an 'M' classification. It is being shown during the school holidays at times when one might well expect—

The Hon. N. K. Foster: Is this a question or a cross-fire to the doctor?

The Hon. ANNE LEVY: It is a cross-fire to the doctor and to the Hon. Mr Foster.

The Hon. N. K. Foster: Leave me out of your line of fire.

The Hon. ANNE LEVY: The Hon. Mr Foster should not interject.

The PRESIDENT: Order!

The Hon. N. K. Foster: Question!

The Hon. ANNE LEVY: Will the Attorney-General consult with the cinema about the showing of this film, which cannot be regarded as suitable for schoolchildren during the school holidays and at times when the audience can be expected to be comprised very largely of schoolchildren?

The Hon. K. T. GRIFFIN: This whole area always poses a dilemma for Ministers of whatever Government. On one hand we seek to ensure that appropriate standards are maintained in compliance with the Film Classification Act in this case and, on the other hand, to enable the film industry to run its own affairs, provided it does so within the meaning of the legislation. Of course, in this context parents must also accept some responsibility. I will have the matter examined. I am very cautious about using any other word, because it could be interpreted as an inquiry and it might finish up on the front page of the newspapers. I am very cautious about that. I will seek information about the detail of the question raised by the honourable member and I will bring down an appropriate reply.

PENSIONERS' DENTAL SCHEME

The Hon. M. S. FELEPPA: My question is directed to the Minister of Community Welfare, representing the Minister of Health, and it is supplementary to a question I asked on 18 August. Is there any written information about the scheme available for pensioners who apply to have their dentures fitted at the Royal Adelaide Hospital? Are all private dentists participating in this scheme? If not, is a list of participating dentists given to pensioners when their application for dental service is accepted? What contribution, if any, is made by private dentists to the cost of the service?

The Hon. J. C. BURDETT: I will refer the question to my colleague and bring down a reply.

GOVERNMENT CARS

The Hon. N. K. FOSTER: Has the Attorney-General a reply to a question I asked on 19 August about Government cars?

The Hon. K. T. GRIFFIN: The information supplied in my answer of 19 August applied to all Government departments and the following statutory and other authorities registered by the Government under the 'G' scheme. Mr President, there is a long list of statutory authorities and I seek leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

Participating Authorities

E.T.S.A.
Electoral
South Australian Health Commission Central Administration
Mental Health Services
Health and Services
Domiciliary Care and Community Health
Barmera Hospital
Eastern Region
Glenside Hospital
Port Adelaide Community Health
Port Lincoln Community Health
Riverland Community Health
Southern Domiciliary Care Service
Strathmont Centre
Parks Community Health
Tumby Bay Community Health
Western Domiciliary Care Service
Regional Cultural Centre Trusts
Institute of Medical and Veterinary Science
Lotteries Commission
State Planning Authority
North Haven Trust
South Australian Urban Land Trust
South Australian Film Corporation
Monarto Development Commission
Technical and Further Education
History Trust of South Australia—Birdwood Mill
West Beach Trust
Public Examinations Board
Alcohol and Drug Addicts Treatment Board
South Australian Meat Corporation
South Australian Housing Trust
Adelaide Festival Centre Trust
Pipeline Authority of South Australia
State Transport Authority
South Australian Teacher Housing Authority
State Clothing Corporation
Country Fire Services
Adelaide Womens Community Health Centre
Angaston District Hospital Inc.
Elliston Hospital Inc.
Flinders Medical Centre
Hillcrest Hospital Inc.
Lameroo District Hospital Inc.
Lyell McEwin Hospital Inc.
Minlaton District Hospital Inc.
Modbury Hospital Inc.
Mount Gambier Hospital Inc.
Murray Bridge Soldiers Memorial Hospital
Port Augusta Hospital Inc.
Port Lincoln Hospital Inc.
Port Pirie and District Hospital Inc.
Royal Adelaide Hospital Inc.
Queen Elizabeth Hospital Inc.
Wallaroo Hospital Inc.
Whyalla Hospital Inc.
Central Northern Health Services Inc.
Clovelly Park Community Health Centre
Christies Beach Community Health Centre
Ingle Farm Community Health Centre Inc.

FRUITGROWING INDUSTRY

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to a question I asked on 21 July about the fruitgrowing industry?

The Hon. J. C. BURDETT: The replies are as follows:

1. In the absence of a satisfactory alternative designed to adequately protect the growers' interests, the South Australian Government supports the retention of the F.I.S.C.C. pricing structure.
2. Not applicable.

DRY LAND FARMING

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to a question I asked on 10 June about dry land farming?

The Hon. J. C. BURDETT: My colleague, the Minister of Agriculture, has informed me that, although he and his department are prepared to assist Zambia to further its agricultural capability and capacity, as part of any Commonwealth funded project, there has been no progress in this matter.

TELEXES

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to a question I asked on 17 June about telexes?

The Hon. J. C. BURDETT: The replies are as follows:

1. Yes, but he will not.
2. No.

RURAL ADJUSTMENT LOANS

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to a question I asked on 27 July about rural adjustment loans?

The Hon. J. C. BURDETT: The replies are as follows:

1. The minimum interest rate applied to rural adjustment loans for debt reconstruction, farm build-up and farm improvement is 8 per cent per annum. Higher rates than the minimum are rarely applied and in these cases due regard is given to the ability of the applicant to service the loan.
2. There is no anomaly and therefore no further such public statement is required, as alleged.

DROUGHT

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to my question of 27 July about drought?

The Hon. J. C. BURDETT: There is a Commonwealth-States arrangement which sets down terms and conditions in respect to natural disaster relief and restoration expend-

iture incurred by the States. This document provides *inter alia*:

(a) Definition of eligible disasters and agreed measures of assistance accepted as 'standard' for purposes of Commonwealth support to all States.

(b) Eligible natural disasters for Commonwealth relief assistance and agreed measures applicable to South Australia. These include concessional loans to primary producers for carry-on and 50 per cent freight subsidies on the transport of livestock to and from agistment and the transport of fodder.

In view of the foregoing it is not considered necessary to receive Commonwealth approval for the assistance currently being provided. However, the Commonwealth has been alerted to a declining seasonal outlook in the State. The Commonwealth has also been advised of current assistance being provided and the probability of South Australia seeking Commonwealth support, under the agreement wherein they, the Commonwealth, are committed.

The Hon. B. A. CHATTERTON: Has the Minister of Community Welfare a reply to my question of 29 July about drought relief?

The Hon. J. C. BURDETT: It is expected that the policies relating to the administration of drought relief in South Australia will generally follow those already established. Some modifications may be necessary in the light of experience by the Department of Agriculture in administering previous schemes.

SURPLUS HOSPITAL EQUIPMENT

The Hon. ANNE LEVY: I seek leave to make a brief statement before asking the Minister of Community Welfare, representing the Minister of Health, a question about surplus hospital equipment.

Leave granted.

The Hon. ANNE LEVY: I have had passed to me a copy of a letter which was evidently circulated to chief executive officers, administrators and managers of hospitals and nursing homes throughout South Australia. It details surplus equipment which is being sold off by Queen Elizabeth Hospital. I have been told that much of this equipment is available at between 25 per cent to 30 per cent of the new cost. It is rather difficult to understand why some items such as 368 stainless steel kidney trays (medium, 9 inches), 598 stainless steel solution bowls (medium), and 1 047 (two pint) stainless steel jugs are regarded as surplus. They are obviously considered perfectly fit for use by other hospitals and nursing homes in South Australia, and I am sure that members would be aware that new stainless steel equipment of any sort is extremely expensive. The supplies also include 1 671 Dwell catheters, 16 dozen four-inch gauze bandages, and a Toshiba X-ray unit, which when new is extremely expensive equipment. Can the Minister investigate the purchasing methods and the manner in which inventories are kept at Queen Elizabeth Hospital? Will she explain to the Council why these supplies and equipment, which apparently are in good order, are being disposed of, and what is the cost of their replacement?

The Hon. J. C. BURDETT: I will refer the question to my colleague and bring down a reply.

HOSPITAL STATISTICS

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. How many beds were commissioned (i.e. available for occupation by patients) in the Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, Modbury Hospital, Lyell McEwin Hospital, Mount Gambier Hospital, Port Augusta Hospital, Port Pirie Hospital, Whyalla Hospital, Wallaroo Hospital and the Port Lincoln Hospital at 30 June 1979, 1980, 1981 and 1982?

2. What was the bed occupancy rate in each of those hospitals for each financial year 1978-79 to 1981-82?

3. What was the average length of patient stay for each hospital in each of those financial years?

4. What was the total of occupied bed days for each hospital in each of those financial years?

5. What were the hospital budgets (i.e. the total expenditure) in the Royal Adelaide Hospital, Queen Elizabeth Hospital, Flinders Medical Centre, Modbury Hospital, Lyell McEwin Hospital, Mount Gambier Hospital, Port Augusta Hospital, Port Pirie Hospital, Whyalla Hospital, Wallaroo Hospital and the Port Lincoln Hospital in the financial years 1977-78 to 1981-82 inclusive, excluding salaries and wages costs incurred in paying former Public Buildings Department personnel now employed directly by the hospitals or the Health Commission?

6. Based on those figures what was the increase in constant dollar terms in each hospital for each financial year 1977-78 to 1981-82 inclusive?

7. *(a)* What was the percentage increase or decrease in real terms in each hospital for those financial years (1977-78 to 1981-82)?

(b) What inflation rate was used in each financial year for the calculation of 'real terms' dollars?

8. What were the average numbers of all employees (expressed as full-time equivalents) in the Royal Adelaide Hospital, Queen Elizabeth Hospital, Flinders Medical Centre, Modbury Hospital, Lyell McEwin Hospital, Mount Gambier Hospital, Port Augusta Hospital, Port Pirie Hospital, Whyalla Hospital, Wallaroo Hospital and the Port Lincoln Hospital in the financial years 1977-78 to 1981-82 excluding former Public Buildings Department staff now employed directly by the Health Commission or the hospitals?

9. What was the total nursing establishment (registered nurses, enrolled nurses, student nurses and nurse assistants) expressed as full-time equivalents in each hospital in the financial years 1977-78 to 1981-82?

10. What were the individual full-time equivalent numbers of registered nurses, enrolled nurses, student nurses or nurse assistants in each hospital in each of those financial years?

11. How many hospital-based nurse training schools were there in South Australia in the years 1977-82, what were the total number of student nurses enrolled in those schools in each of those years and how many were enrolled in each school in those years?

12. What was the total establishment of salaried medical officers in the Royal Adelaide Hospital, Queen Elizabeth Hospital, Flinders Medical Centre, Modbury and Lyell McEwin Hospitals in the financial years 1977-78 to 1981-82 inclusive?

13. What was the cost of salaried medical officers in each hospital during those years?

14. What were the classifications of salaried medical officers, what was the total number in each classification and in each teaching hospital during 1977-78 to 1981-82 inclusive?

15. What was the increase or decrease in costs of salaries for salaried medical officers in real terms and as percentages for each of the financial years 1977-78 to 1981-82?

16. What inflation rate was used in each financial year for the calculation of 'real terms' dollars?

17. What were the total costs of nursing staff (registered nurses, enrolled nurses, student nurses and nurse assistants) in the Royal Adelaide Hospital, Queen Elizabeth Hospital, Flinders Medical Centre, Modbury, Lyell McEwin, Mount

Gambier, Port Augusta, Port Pirie, Whyalla, Wallaroo and Port Lincoln Hospitals in the financial years 1977-78 to 1981-82 inclusive?

18. What were the individual costs at each of the hospitals?

19. What was the percentage increase or decrease in nursing costs in real terms at each of the 11 hospitals for the financial years 1977-78 to 1981-82 inclusive?

20. What were the numbers of medical practitioners and consultants paid on a sessional basis, the number of sessions and the cost at the Royal Adelaide Hospital, Queen Elizabeth Hospital, Flinders Medical Centre, Modbury and Lyell McEwin Hospitals for the financial years 1977-78 to 1981-82 inclusive?

21. What were the specialities or sub-specialities in each hospital and how many consultants had sessions in each of these areas in each hospital?

22. What was the average number of new public patients, both in-patients and out-patients, seen each month by visiting specialists at each of the hospitals?

23. What were the total costs of pathology services to each teaching hospital and what were the costs per patient in the financial years 1977-78 to 1981-82?

The Hon. J. C. BURDETT: The time required to provide answers to these questions is not considered to be warranted. Most of the information sought is to be found in *(a)* annual reports of the Health Commission or of the hospitals mentioned; *(b)* Parliamentary Budget papers and the Auditor-General's Report for the years in question.

HAMPSTEAD CENTRE

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. What were the budgets (expenditure) for rehabilitation services at the Hampstead Centre in the financial years 1978-79 to 1981-82 inclusive?

2. What were the increases or decreases in real terms and in percentages in these years?

3. What were the budgets (expenditure) for other residential rehabilitation facilities in South Australia conducted by State authorities, excluding Mental Health Services, in each of the financial years 1978-79 to 1981-82?

4. *(a)* What was the total staffing establishment at the Hampstead Centre in each of the financial years 1978-79 to 1981-82 inclusive, excluding any staff transferred from the Public Buildings Department pay-roll?

(b) What was the total establishment of nursing staff and salaried medical officers in each of those financial years?

5. What were the numbers of beds available at the Hampstead Centre in each of the financial years 1978-79 to 1981-82?

6. *(a)* What is the estimated number of young brain injured patients (under 25 years) in South Australia?

(b) How many of these are estimated to be road trauma victims?

7. *(a)* How many beds are available for them for slow stream rehabilitation at the Hampstead Centre?

(b) What other residential accommodation, including hostel accommodation, is available for them in South Australia?

(c) Do the institutions supplying these beds also provide slow stream rehabilitation?

(d) If so, what are the names of the institutions?

(e) If not, why not?

8. *(a)* What were the budgets for non-residential rehabilitation services in the financial years 1978-79 to 1981-82?

(b) Where were these provided and by whom?

(c) How many personnel, expressed in full-time equivalents, were employed in these services in those financial years?

(d) What percentage of the services was devoted to rehabilitation of the young brain injured (under 25 years)?

9. *(a)* What amounts of Federal Government funding did rehabilitation services conducted by State instrumentalities (other than Mental Health Services) attract in the financial years 1978-79 to 1981-82?

(b) What additional Federal Government funding is available for approved new projects?

10. By what amounts, in real terms and percentages, did these increase or decrease in those years?

11. What inflation rate has been used in each of the financial years in making calculations?

12. *(a)* What other financial resources, if any, were available to rehabilitation services, by whom were they supplied and what were the amounts?

(b) Did any non-government sources, including insurance companies, make any substantial grants or donations?

13. How many vacancies were unfilled in Domiciliary Care and Rehabilitation Services at 30 June 1982?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in—

(a) annual reports of the Health Commission or the health units mentioned;
(b) Parliamentary Budget papers;
(c) the Auditor-General's Reports; and
(d) other publications.

Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

ACUTE CARE HOSPITALS

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. What was the total number of acute care hospitals in South Australia at 30 June 1982?

2. How many categories and classifications do they fall within and what are the names of the hospitals in each category or classification?

3. How is each category of hospital funded and by whom?

4. How many hospitals are incorporated under the South Australian Health Commission Act, what are their names and what is the number of beds available in each hospital?

5. How many hospitals remain unincorporated, what are their names and what is the number of beds available in each hospital?

6. What is the total number of acute care hospital beds available in South Australia other than the 11 hospitals generally described as 'Government hospitals'?

7. Has the total number of beds available in these hospitals increased or decreased in the past three financial years and, if so, by what number?

8. Which are the individual hospitals where increases or decreases have occurred and what is the number in each case?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in—

(a) annual reports of the Health Commission or the health units mentioned;
(b) Parliamentary Budget papers;
(c) the Auditor-General's Reports; and
(d) other publications.

Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

HOSPITAL BAD DEBTS

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. How many accounts were remitted or written off as bad debts between 1 July 1981 and 30 June 1982 at the Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, Modbury Hospital, the Lyell McEwin Hospital, Mount Gambier Hospital, Port Augusta Hospital, Port Lincoln Hospital, Port Pirie Hospital, the Wallaroo Hospital and the Whyalla Hospital?

2. What were the total amounts remitted or written off as bad debts at each of the hospitals for the financial year ended 30 June 1982?

3. What amounts from each hospital were referred for collection as bad debts through the issuing of ordinary summonses, unsatisfied judgment summonses or warrants of commitment during the financial year 1981-82?

4. What changes in debt collection procedures have the Government or individual hospital boards of management implemented during the financial year 1981-82?

5. What changes in debt collection procedures are the Government or individual hospital boards of management planning to handle the problem of bad debts?

6. By what amount in both dollars and percentages, has the actual income from all hospital charges in South Australian Government hospitals fallen short of estimated income for the financial year 1981-82?

7. What is the estimated percentage of the South Australian population, including dependent children and spouses, who are not covered by pensioner health benefit cards, health cards for low income individuals or families or private health insurance? In other words, what is the estimated total percentage of South Australians who have no medical or hospital cover whatsoever?

The Hon. J. C. BURDETT: The time and effort required to provide the answer to this question is not considered to be warranted.

HEALTH SALARIES

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. *(a)* How many officers in the classifications and salary ranges EO1 to EO6 or the equivalent salary ranges in the classifications MO and NU were employed in the Health Commission, in public health services and in public hospital services in each of the financial years 1977-78 to 1981-82 inclusive?

(b) What were the numbers in each range?

2. *(a)* How many officers were employed in direct operations, planning, programming or systems analysis in the Computing Services Branch of South Australian Health Commission in the financial years 1978-79 to 1981-82 inclusive?

(b) What were the numbers in each salary classification, what were their salaries and what was the total cost of their salaries in each of the financial years 1978-79 to 1981-82?

(c) What was the percentage increase or decrease (in real terms) in total salaries paid to these officers in the financial years 1978-79 to 1981-82?

(d) What inflation rate has been used in each of these years in making calculations?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in—

(a) annual reports of the Health Commission or the health units mentioned;
(b) Parliamentary Budget papers;
(c) the Auditor-General's Reports; and
(d) other publications.

Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

MAGILL HOME FOR THE AGED

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. What were the budgets (expenditure) at the Magill Home for the Aged in the financial years 1979-80 to 1981-82?

2. What were the increases or decreases, in real terms and percentages, in these financial years, using 1978-79 as the base?

3. What inflation rate has been used in each year in making these calculations?

4. What was the number of residents in hostel accommodation at 30 June 1979, 1980, 1981 and 1982 at the Magill Home?

5. What was the number of residents in infirmary or nursing home accommodation at Magill Home at 30 June 1979, 1980, 1981 and 1982?

6. What was the total staff establishment (expressed in full-time equivalents and excluding any former employees of the Public Buildings Department transferred to the payroll) at the Magill Home in the financial years 1978-79, 1979-80, 1980-81 and 1981-82?

7. What was the nursing staff establishment (including registered nurses, enrolled nurses and nurse assistants) expressed in full-time equivalents in the financial years 1978-79, 1979-80, 1980-81 and 1981-82?

The Hon. J. C. BURDETT: The replies are as follows:

Response to Questions 1. and 2.:

	Salaries			Contingencies		
	Expenditure $	Increase from Base $	%	Expenditure $	Increase from Base $	%
1978-79 (base)	1 588 993	—	—	222 704	—	—
1979-80	1 753 158	164 165	10.3	232 267	9 563	4.3
1980-81	1 966 667	377 674	23.8	255 196*	32 492	14.6
1981-82	2 236 145	647 152	40.7	282 636	59 932	26.9

*includes $5 145 *ex gratia* payment

Response to Question 3.:
No inflation rate used—actual expenditure cited.
Response to Questions 4. and 5.:

	Hostel	Infirmary	Total
30 June 1979	23	74	97
30 June 1980	44	64	108
30 June 1981	54	60	114
30 June 1982	59	48	107

Response to Questions 6. and 7.:

Date	Total Staff (Full-time equivalent)	Nursing Staff (Full-time equivalent)
30 June 1979	159.5	75.0
30 June 1980	158.5	64.0
30 June 1981	157.5	56.3
30 June 1982	148.1	57.8

HOSPITAL STATISTICS

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. How many beds were available for occupation by patients at the Glenside, Hillcrest and Enfield Hospitals in the financial years 1979-80 to 1981-82?

2. What was the bed occupancy rate in each of those hospitals for each financial year?

3. What were the hospital budgets (i.e. the total expenditure) in each hospital for each of those financial years, excluding the cost of any officers formerly paid by the Public Buildings Department who have been transferred to the hospital pay-roll?

4. What was the increase or decrease of funding in real terms and percentages for each hospital over the three-year period, using 1978-79 as the base?

5. What percentage of the total Mental Health Services budget did the funding of Hillcrest, Enfield and Glenside Hospitals represent in each of the financial years 1979-80 to 1981-82?

6. What was the increase or decrease of funding, in real terms and percentages, in the total expenditure on Mental Health Services for each of these three years using 1978-79 as the base?

7. What were the average numbers of all employees (expressed as full-time equivalents) at Hillcrest, Enfield and Glenside Hospitals in the financial years 1978-79 to 1981-82 excluding any staff formerly employed by the Public Buildings Department?

8. What was the average number of psychiatric nurses (expressed as full-time equivalents) employed at Hillcrest, Enfield and Glenside Hospitals in each of those financial years?

9. How many salaried medical officers (expressed as full-time equivalents) were employed at Hillcrest, Enfield and Glenside Hospitals in each of the financial years 1978-79 to 1981-82?

10. How many senior (qualified) psychiatrists (expressed as full-time equivalents) were employed on a salaried basis in each of these financial years at Hillcrest, Enfield and Glenside Hospitals?

11. How many staff vacancies were unfilled at 30 June 1982?

12. What was the increase or decrease in real terms and percentages of funding for nursing in Hillcrest, Enfield and Glenside Hospitals in the three financial years 1979-80 to 1981-82, using the financial year 1978-79 as a base?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in: *(a)* annual reports of the Health Commission or the health units mentioned; *(b)* Parliamentary Budget papers; *(c)* the Auditor-General's Reports; and *(d)* other publications. Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

MENTAL HEALTH STATISTICS

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. How many psychiatrists (expressed as full-time equivalents) are employed on a salaried basis or in full-time private practice outside the Adelaide metropolitan area?

2. What were the budgets (total expenditure) in the Mental Health Services Branch (excluding the psychiatric hospitals and intellectually retarded services, both institutional and non-institutional) in the financial years 1978-79, 1979-80, 1980-81 and 1981-82?

3. What were the individual budgets (expenditure) for the Marion Psychiatric Centre, Beaufort Clinic, Carramar, St Corantyn's, Plympton Lodge, Davenport House and Willis House in the financial years 1978-79, 1979-80, 1980-81 and 1981-82?

4. How many personnel were:
   (a) employed in each of these establishments on a full-time equivalent basis in each of these financial years?
   (b) What were their classifications and salaries and how many officers were employed in each classification?

5. What increase or decrease occurred in the individual budgets of each of these establishments in real terms and percentages in the financial years 1979-80, 1980-81 and 1981-82, using the financial year 1978-79 as a base?

6. How many individual patients were treated at each establishment in each of the four financial years?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in: *(a)* annual reports of the Health Commission or the health units mentioned; *(b)* Parliamentary Budget papers; *(c)* the Auditor-General's Reports; and *(d)* other publications. Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

DOMICILIARY CARE SERVICES

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. What were the total amounts of funding allocated to Domiciliary Care Services in South Australia in the financial years 1978-79 to 1981-82 inclusive?

2. By what amounts, in real terms and percentages, did these increase or decrease in those years?

3. How many people (expressed in full-time equivalents) were employed directly in Domiciliary Care Services in South Australia in the financial years 1978-79 to 1981-82 inclusive?

4. What amounts of Federal Government funding did Domiciliary Care Services attract in South Australia in the financial years 1978-79 to 1981-82 inclusive?

5. By what amounts, in real terms and percentages, did these increase or decrease in those years?

6. What amounts of State Government funding did Domiciliary Care Services attract in South Australia in the financial years 1978-79 to 1981-82 inclusive?

7. By what amounts, in real terms and percentages, did these increase or decrease in those years?

8. What other financial resources, if any, were available to Domiciliary Care Services, by whom were they supplied and what were the amounts involved?

9. What inflation rate has been used in each of the financial years in making calculations?

10. What amounts were allocated to Domiciliary Care Services in the Eastern, Western, Southern and Central Northern Regions of the metropolitan area in the financial years 1978-79 to 1981-82?

11. What was the increase or decrease in real terms and in percentages in each of these regions in each of these years?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in *(a)* annual reports of the Health Commission or the health units mentioned; *(b)* Parliamentary Budget papers; *(c)* the Auditor-General's Reports; and *(d)* other publications. Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

WORKFORCE STATISTICS

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. What were the budgets for the Occupational Health Branch of the South Australian Health Commission, excluding radiation control, in the financial years 1978-79 to 1981-82?

2. What were the budgets for radiation control in the Occupational Health Branch of the South Australian Health Commission in the financial years 1978-79 to 1981-82?

3. How many personnel (expressed as full-time equivalents) were employed in the Occupational Health Branch of the South Australian Health Commission, excluding radiation control, in the financial years 1978-79 to 1981-82?

4. How many personnel (expressed as full-time equivalents) were employed in radiation control in the South Australian Health Commission in the financial years 1978-79 to 1981-82?

5. *(a)* How many working days were lost by members of the South Australian workforce as a result of work related accidents, injury or illness in the financial years 1978-79 to 1981-82?

(b) How many working days were lost through industrial disputes in the same period?

6. How many members of the South Australian workforce were classified as partially or permanently incapacitated as a result of work related accidents, injury or illness in the financial years 1978-79 to 1981-82?

7. How many members of the South Australian workforce were killed in accidents on the job in the financial years 1978-79 to 1981-82?

8. What was the cost of work related injuries, illness and death to commerce and industry, both directly and through lost working days, in these financial years?

9. How many officers (expressed in full-time equivalents) were employed in the Occupational Health Branch of the South Australian Health Commission and the Department of Industrial Affairs to collect and collate statistics concerning work related accidents, injury, illness or death in the financial years 1978-79 to 1981-82?

10. How many medical and paramedical personnel or scientific officers (expressed as full-time equivalents) were employed in the Occupational Health Branch, other than in radiation control, in the financial years 1978-79 to 1981-82?

11. How many personnel (expressed as full-time equivalents) were involved in inspections, advice, counselling employers or employees or in medical examinations of workers in industry, commerce or retailing in those financial years?

12. How many vacancies were unfilled in the Occupational Health Branch at 30 June 1982?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in: *(a)* annual reports of the Health Commission or the health units mentioned; *(b)* Parliamentary Budget papers; *(c)* the Auditor-General's Reports; and *(d)* other publications. Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

CENTRAL BOARD OF HEALTH

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. How many personnel (expressed as full-time equivalents) were employed in the Central Board of Health in each of the financial years 1978-79 to 1981-82?

2. What were their classifications, how many officers were employed in each classification, and what were their salaries?

3. What was the budget (expenditure) of the Central Board of Health in each of the financial years 1978-79 to 1981-82?

4. What was the increase or decrease in expenditure in real terms and percentages in each of the financial years 1979-80 to 1981-82, using the financial year 1978-79 as the base?

The Hon. J. C. BURDETT: The time and effort required to provide the answers to these questions is not considered to be warranted. Most of the information sought is to be found in: *(a)* annual reports of the Health Commission or the health units mentioned; *(b)* Parliamentary Budget papers; *(c)* the Auditor-General's Reports; and *(d)* other publications. Information may not be available for all the years mentioned and in some cases the level of detail sought may not be available.

JULIA FARR CENTRE

The Hon. J. R. CORNWALL (on notice) asked the Minister of Community Welfare:

1. *(a)* What accountancy firm is employed by the Julia Farr Centre?

(b) Who are the principals of that firm?

2. How many people are employed by the firm in their office on either a full-time or part-time basis to do work for the Julia Farr Centre?

3. What is the number of full-time equivalent staff employed in their office to do work for the Julia Farr Centre?

4. How many of those people are involved in public relations?

5. What amounts were paid by the Julia Farr Centre to the accountancy firm in the financial years 1979-80, 1980-81 and 1981-82?

6. Who is the Secretary and Chief Executive Officer of the Julia Farr Centre?

7. Who is the Assistant Secretary and Accountant of the Julia Farr Centre?

8. How many hours per week did the Secretary and Chief Executive Officer devote to his work in this capacity in the financial years 1979-80, 1980-81, 1981-82?

9. What were his hourly rates of pay and what total amounts were paid to him in the financial years 1979-80, 1980-81 and 1981-82?

10. Who are the insurance brokers for the Julia Farr Centre?

11. Who are the principal shareholders and/or the directors of this insurance broking firm?

12. Who are the major clients of this insurance broking firm?

13. What amounts are paid monthly and annually by the Julia Farr Centre for workers' compensation and general insurance?

14. What commission is charged by the Julia Farr Centre's insurance brokers for placing their insurance?

The Hon. J. C. BURDETT: The replies are as follows:

The Julia Farr Centre is a private charitable incorporated association, not subject to Government control but in receipt of a subsidy from the Government. The following answers have been obtained with the co-operation of the centre:

1. *(a)* A.E.H. Evans & Co. Chartered Accountants, Da Costa Building, 68 Grenfell Street, Adelaide.

(b) During the years relevant to the questions:

Raymond Griffith Rees
Donald Robert Jaunay
Brian Robert Curtis
Michael John Beresford Evans
Mr R. G. Rees retired from the firm on 1 July 1982.

2. Nine, including the Assistant Secretary and Accountant.

3. Approximately six.

4. None.

5. 1979-80—$117 212; 1980-81—$134 509; 1981-82—$134 232.

6. During the years in question, Raymond Griffith Rees, Chartered Accountant.

7. During the years in question, Brian Robert Curtis, Chartered Accountant.

8. 1979-80—1 500 hours; 1980-81—1 510 hours; 1981-82—1 545 hours; all excluding after hours duties.

9. His engagement was not on an hourly basis, but his firm was employed in its professional capacity to provide a range of services as required by the board of management. The total amounts paid are as set out above in question 5, from which amount the firm is required to meet all the expenses associated with providing those services, salaries and oncosts thereon, rent, rates and taxes, and all other office expenses. Long services leave, annual leave and workers' compensation insurance are the responsibility of A.E.H. Evans and Co. in respect of personnel.

10. Raylen Pty Limited.

11. Raymond Griffith Rees, Donald Robert Jaunay, Brian Robert Curtis, Michael John Beresford Evans.

Mr R. G. Rees retired from the firm on 1 July 1982.

12. Not known.

13. Insurance premiums paid including Fire Brigade levy and stamp duty for 12 months from 1 September 1981:

Workers' Compensation—$586 733*

General Insurance—$118 857

These premiums are paid by monthly instalments of $50 000 plus a balancing amount.

*This amount includes $62 435 as a premium adjustment for previous year.

14. Rates of commission are in accord with industry standards, 2.5 per cent for workers' compensation, 15 per cent for fire and general insurance, motor vehicles and boiler explosion 7½ per cent, engineering 10 per cent on base premiums.

BUDGET PAPERS

The Hon. K. T. GRIFFIN (Attorney-General): I move:

That the Council take note of the papers relating to the Estimates of Payments and Receipts, 1982-83.

In so moving, I am continuing the practice established recently of tabling the Budget papers before debate is called on the Appropriation Bill, so that every member has more time to consider the contents of the papers and also to facilitate the debate on the Budget papers when the Appropriation Bill is finally received by the Council.

In moving this motion, I draw attention to significant factors in the Budget papers by way of overview. The Government's Budget proposals for 1982-83 are for balanced operations on Consolidated Account, which will maintain the accumulated deficit of $6 100 000 recorded as at 30 June 1982.

Within the overall Budget the position is manageable, although it is, of course, far from ideal. However, the position needs to be seen in the context of:

- the very difficult financial situation which faces all States—a situation which is largely beyond their immediate control;
- the Government's determination to contain its recurrent deficit and, through sound financial management, to reduce it progressively in a way which does not have adverse ill-effects for the community.

This will be a most difficult task, particularly if present expectations for salary and wage increases continue. Given the responsibility for the economic well-being of this State, the Government will not resile from the challenge. The Budget plan for 1982-83 is a further step in the direction of reduced recurrent expenditures in real terms and relatively low taxation. Before looking at financial matters and proposals for 1982-83, I believe that it would be useful to refer to the economic background against which the Budget has been framed.

This year, for the first time, I am tabling with the Budget papers a separate paper on economic trends and conditions. The paper has been prepared by the Treasury with the assistance of other agencies. This is another step in the Government's policy of improving the range and quality of financial and economic information provided to the Parliament and public. I do not propose to spell out what is covered in the paper. However, several points are worth mentioning.

It is well known that most of the Western industrialised world had depressed levels of economic activity in 1981-82. Unemployment has been rising in Japan, the United States and in most of Western Europe and, in the case of the latter two, to levels above those in Australia, while falling demand and production in most countries have had a moderating effect on the rates of wage and price increases. Interest rates, in real terms, have been at near record levels in the United States and have been rising elsewhere.

Prospects for any major upturn in world-wide activity are, at best, uncertain. The monetary and fiscal policies of the United States Government can be expected to have an important bearing on the future course of international economic activity. Australia has felt two adverse effects from overseas—a reduction in demand for our exports and upward pressure on our interest rates.

Australia experienced a better than average economic growth up to the September quarter of 1981, but conditions deteriorated fairly quickly thereafter. The unemployment

rate at the end of July 1982 was 6.6 per cent of the labour force compared with 5.5 per cent a year earlier. The sharp deterioration nationally was not matched in South Australia, where the unemployment rate actually fell from 8 per cent to 7.6 per cent over the same period.

Although it is not possible for any State to insulate itself from world and national economic influences, there are some hopeful signs that South Australia may be improving its relative position. Improving key economic indicators include the State's share of dwelling approvals, construction activity (other than buildings) and unemployment totals. The State's share of national unemployment dropped from 13 per cent in July 1981 to 10.2 per cent in July 1982.

For construction activity, other than buildings, South Australia's share of the value of projects under construction as at the end of March 1982 was 8.8 per cent, compared with shares of around 1 per cent to 3 per cent over the previous seven years. This should translate into increased construction activity in this State over the next few quarters.

The Cooper Basin liquids project has been a major contributor to this State's increased share of the national value of projects under construction. There are a number of other developments, either under way or proposed, which indicate the extent of long-term confidence in South Australia as a place to invest. They include further feasibility work at Roxby Downs, an evaluation by Asahi Chemical Co. Ltd and other firms of the feasibility of a major petro-chemical plant in South Australia, negotiations concerning uranium conversion and uranium enrichment projects and the possibility of a coal to gas conversion scheme. Mining and petroleum exploration activity is running at record levels.

In addition, the building of international airport facilities and a new international hotel for Adelaide should greatly boost the State's tourist potential. There are proposals for a number of residential and commercial developments in the heart of Adelaide, as well as further redevelopment and expansion investments in some of South Australia's key manufacturing firms.

Against that general economic background, I turn now to discuss some of the main elements affecting the State Budget. Two major factors stand out:

- funds from the Commonwealth Government
- salary and wage increases.

Dealing with Commonwealth funds, the Premier said:

A feature of Commonwealth Budgets in recent years has been the much slower growth in payments to the States than in other areas of Commonwealth expenditures. In real terms, Commonwealth payments to the States are expected to rise by 2.1 per cent in 1982-83, compared with a 4.1 per cent real growth in Commonwealth outlays for their own purposes. Despite some positive real growth in payments to the States expected in 1982-83, over the five years since 1977-78, payments to the States have declined in real terms by about 5 per cent compared with a real increase of about 19 per cent in the Commonwealth's other outlays.

The Hon. C. J. Sumner: Is this the policy of the Liberal Party?

The Hon. K. T. GRIFFIN: The Premier continued:

In other words, the States have borne the full brunt of the Commonwealth's cost-cutting exercise.

The Hon. C. J. Sumner: It was the Liberal Party's policy, fully supported by Dr Tonkin: new Federalism.

The Hon. K. T. GRIFFIN: We support new Federalism. The Premier continued:

By far the largest single receipt item in the State's Budget is the so-called tax sharing grant paid by the Commonwealth Government. The total of these grants each year is determined as a proportion of total Commonwealth taxation collections in the previous year. Total tax sharing grants to the six States in 1982-83 will be 16.2 per cent higher than in 1981-82. For South Australia, the corresponding increase is 13.8 per cent. This smaller increase is explained, to some extent, by a lower than average expected rate of population growth. However, the major factor is the effect of the new relativities between the States determined by the Commonwealth following two reports by the Commonwealth Grants Commission.

This matter, along with other aspects of Commonwealth-State financial relations, is discussed in some detail in Attachment II to the Premier's statement. The Premier continued:

In brief, the effect of the new arrangements is to reduce this State's grant in 1982-83 by about $11 million below what it would have been had the previous relativities continued. On certain assumptions, this is estimated to grow to around $22 million in 1983-84 and about $37 million in 1984-85. While the fact that our reduced share of tax sharing grants to be phased in over three years provides some relief, there will still be major adverse effects on the State's Budget over the next three years.

The main reason for this result is that the Grants Commission concluded, on fiscal equalisation criteria, that the State should not retain in its grant any benefits of the transfer of the non-metropolitan railways to the Commonwealth.

No legal or formal agreement was entered into by the Government of the day with the Commonwealth with respect to the financial arrangements to be made in increased recurrent grants to South Australia as a result of the transfer. Because of this, the commission has found that the Commonwealth has no obligation to continue those benefits. The Commonwealth Government has accepted the commission's view.

Excluding grants for certain purposes which the Commonwealth has yet to allocate between the States, total Commonwealth payments to South Australia are estimated to increase by 12.2 per cent in 1982-83 which is the highest increase of all the States, except Tasmania. That favourable position is a reflection of two special capital grants to the State; one of $10 million for water supply and water quality improvements, the other of $10 million for transportation. This assistance was agreed to by the Commonwealth following strong representations which I [the Premier] made concerning particular problems facing the State.

Although this special assistance is most welcome, it is of a 'one-off' nature. The trend in Commonwealth payments to the State remains adverse and has added greatly to our budgetary problems. Regrettably, given the lop-sided nature of Commonwealth-State financial powers, this is something that South Australia and all other States must contend with.

Dealing with salary and wage awards, the Premier stated:

The Budget I presented to Parliament last year included a round sum allowance of $78 million for increases in salary and wage rates expected to occur in 1981-82. In the event, only $59 700 000 was required, largely because increases occurred later in the year than forecast. Lest anyone should think that represents some sort of a windfall gain, let me say that the full year cost of those increases added over $140 million to the State's recurrent costs—more than was raised from the South Australian taxpayer in 1981-82 from stamp duties, liquor taxes and tobacco taxes combined.

In previous Budget speeches and in other statements, both inside and outside this Parliament, I have drawn attention to the adverse effects on the economy generally, and on the State's finances, of excessive increases in salary and wage rates. I believe the truth of this is now becoming more widely recognised, as the economy is showing the effects more clearly. The need for responsible wage restraint has been acknowledged recently by various business and community leaders. It is our hope that all sections of the community, including the public sector, will follow this responsible lead. It would be in everyone's best interests to do so.

The main effect on the Budget has been to reduce the level of capital works below that which we would otherwise have been able to finance. I assure the House that my Government will be doing all in its power to act responsibly and to contain further increases—especially in the area of Government employment, but also more widely when opportunities arise.

This year's Budget includes a round sum allowance of $80 million. That is not in any sense an amount we wish to spend in this way. If we can keep actual increases below this level, the more will be available for spending on capital works. This matter will be kept under the closest review. It cannot be stressed too strongly, or too often, that excessive wage increases will mean less money for capital works, less work for the building and construction industry and fewer jobs.

As to 1982-83, the Premier said:

It is after having regard to those major constraints that the Government's Budget for 1982-83 has been developed. In brief, the strategy is:

Taxation

The Government was elected on a commitment to a policy of lower taxation. Very significant reductions and concessions have been made since 1979. I again remind the House that, during the

first year in office, my Government abolished gift and succession duties, land tax on the principal place of residence and introduced stamp duty exemptions for first home purchases.

I announced earlier this year that the Government would increase the basic exemption level under the Pay-roll Tax Act from $84 000 to $124 992, tapering back to $37 800 at a pay-roll level of $255 780. Legislation has been passed and that increase came into effect from 1 July 1982. This is the third increase in the exemption level introduced by my Government in the past three years.

Heavy increases, particularly in salaries and wages, have added significantly to the costs of all Government services and have not permitted any further relief in this area at this stage.

Charges and Fees

Increases in charges and fees levied by various State agencies have been announced in recent months. They have been necessary to cover increased costs. These increases have been the subject of some mischievous and financially irresponsible comment. This is especially true of comments made by those who, on the one hand, do nothing to discourage pressure for increased wage rates but, on the other, encourage the community to resent the higher charges necessarily levied to cover the cost of providing services. The options to increasing charges in line with cost increases are higher taxation and/or lower levels of necessary public services. My Government believes that neither of those options is acceptable. We will continue to do everything possible to reduce the impact of the root cause of these increases, namely, excessive increases in wage rates which, in turn, affect other costs.

Expenditure Restraint

Firm and responsible control over all public expenditures is again the single most important element in our financial policies. In pursuing these policies, we have three key aims:

- to hold the aggregate level of expenditures as far as practicable within the level of funds available;
- to ensure that, within the aggregate, individual allocations are made responsibly to reflect essential community needs;
- to ensure that resources are used to provide for those needs in the most effective way so that maximum benefit is obtained for each dollar spent.

The Budget Review Committee has once again played a vital role in the determination of Budget strategy and in the monitoring of progress. The satisfactory result overall achieved last year is tangible evidence of the success of the committee. Together with senior officers of the Public Service Board and of Treasury, they have worked tirelessly and it is to their credit that all agencies have worked willingly in a spirit of real co-operation with the committee. I place on record my appreciation of the co-operation which the committee has received from the heads of all agencies and their staffs. The Government realises that, in a period of declining real resources, many pressures occur and management skills are put to the test. The Public Service has done a very good job and met the challenges with great distinction.

In developing the 1982-83 Budget framework, the committee has examined carefully with all agencies their objectives, the specific functions they perform, the effectiveness of those functions in meeting the needs of the community, the resources allocated to the performance of those functions, and the scope for the reallocation of resources to higher priority areas. That review enables us to plan to reduce recurrent expenditures in 1982-83 by about $10 million below the level at which they were running at 30 June 1982—and we believe we can do so without affecting adversely the standard of service to the community.

I refer honourable members to the papers that have been tabled for more details of other matters affecting the finances of the Government. I commend those papers to honourable members' attention. I also commend the motion to honourable members.

The Hon. FRANK BLEVINS secured the adjournment of the debate.

SELECT COMMITTEE ON LOCAL GOVERNMENT BOUNDARIES

The Hon. K. T. GRIFFIN (Attorney-General): On behalf of the Minister of Local Government, I move:

That the time for bringing up the report of the Select Committee on Local Government Boundaries of the District Councils of Balaklava and Owen be extended until Thursday 14 October 1982.

Motion carried.

MOTOR VEHICLES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 August. Page 698.)

The Hon. R. J. RITSON: I shall speak only briefly to this Bill. I support it wholeheartedly, and it is such a sensible piece of legislation that I am sure that it will not become the subject of protracted debate. The question raised by the amendment to be moved by the Hon. Mr Cameron is of great interest, and I believe that it perhaps will be best dealt with in Committee. Suffice to say that this Bill is a credit to the Government and an example of the way in which Governments keep constant watch on legislation and of the way in which legislation wisely goes through an evolutionary process. The Government is not a kill joy. It does not desire to limit unnecessarily the use of motor vehicles, but it does desire to protect that very precious commodity in society, our youth, the youth of our State and our nation.

Regrettably, the bulk of disastrous road trauma falls increasingly on the young driver and the inexperienced driver. The Bill essentially gives a little leniency that was not there under previous legislation in that it extends from three points to four points the threshold of mandatory suspension of the provisional licence under the provisions that grant powers of suspension to the motor registry. That is not to say, of course, that the courts cannot or would not impose the usual penalty according to law as the courts see it, but it does raise the threshold as regards the mandatory suspension, and for that I commend the Government.

I believe that very large numbers of people who perhaps inadvertently commit breaches of statutory law do not require huge penalties for their correction or rehabilitation. In many cases, people are apprehended by the police, summonsed to court and pay a fine. Those people suffer social embarrassment and generally do not offend again, whether or not a large or small fine is involved. Indeed, our society would break down if most people did not respond to the mere act of apprehension and of being reminded that they had broken the law. Only a small, hard-core group of people fail to respond to minor corrections and require more serious penalties and other sanctions for repeated offences.

The provisions of this Bill which, in a sense, gives probationary drivers another chance, are to be commended, as is the introduction of the option for an extension of the period of provisional endorsement of a licence rather than a suspension. It is an eminently sensible alternative to a period of suspension where a person cannot drive at all. The Bill also provides that fully licensed drivers may, on the commission of certain offences, have their licences reduced to provisional status. Furthermore, the Bill provides that a licensed driver who has served a period of licence suspension may have his licence endorsed with provisional conditions.

In a sense, a person who has committed a serious offence and has had his licence disqualified may have to prove himself again as a provisional driver. This Bill is a continuing improvement to road traffic legislation. It demonstrates the seriousness with which this Government views the road toll. I look forward to dealing with the question of drink driving and probationary licence holders. I support the second reading.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

In Committee.

(Continued from 26 August. Page 772.)

Clause 2—'Criminal liability in relation to suicide.'

The Hon. C. J. SUMNER: I move:

Page 1, lines 23 and 24—Leave out 'the jury may, notwithstanding that the circumstances would but for this section support a verdict of murder or attempted murder,' and insert 'then, subject to subsection (12), the jury shall not find the accused guilty of murder or attempted murder but may'.

During the second reading debate I referred to the potential problems that might occur in new subsection 13a (3), which deals with the question of the survivor of a suicide pact who may be charged with an offence and who may be found not guilty of murder but only guilty of attempted manslaughter. In his response, the Attorney-General said that the clause was drafted in such a way that it might be open for a jury to bring in a verdict of murder in those circumstances. I pointed out that the Victorian legislation excluded the possibility of a verdict of murder being brought in and left it to a jury to bring in a verdict of manslaughter. My amendment makes clear that, in a suicide pact, the verdict could not be murder but only manslaughter or less. My amendment clarifies the situation. I do not believe it abuses the intention of the original legislation.

The Hon. K. T. GRIFFIN: I am prepared to support the amendment. Certainly, the Government has never intended to allow a jury to find a person guilty of murder where a jury finds on the balance of probabilities that there was a suicide pact, otherwise than in accordance with new subsection 13a (12). As the Leader has said, the amendment does not compromise the spirit of the Bill.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

ROYAL COMMISSIONS ACT AMENDMENT BILL

In Committee.

(Continued from 25 August. Page 701.)

Clause 2—'Protection to commissioners and witnesses.'

The Hon. K. T. GRIFFIN: The Leader of the Opposition having raised a question about protection for counsel, I undertook to make some inquiries. I have some information but, if the Leader prefers me to get more information, I intimate now that I am willing to report progress and make further inquiries to ensure that he is satisfied with the drafting of the Bill. Regarding whether counsel appearing before a Royal Commission are covered by absolute privilege—

The Hon. C. J. Sumner: Counsel assisting the commission.

The Hon. K. T. GRIFFIN: I understood that it was counsel appearing before the commission, which necessarily involves counsel assisting the commission. It was wider than just counsel assisting.

The Hon. C. J. Sumner: Yes, but it may be not just counsel appearing before but counsel assisting the commission.

The Hon. K. T. GRIFFIN: I was referring to counsel appearing before a royal commission, in the broad sense, including counsel assisting because, in fact, they do appear and give their assistance by way of appearance. My information is that in the Commonwealth Royal Commissions Act and the New South Wales Royal Commissions Act there is no absolute privilege for counsel. This necessarily means that counsel would have qualified privilege in the statements that they make before the commission. I have not been able to check the position in Victoria, Queensland and Tasmania.

In Western Australia, section 31 (3) of the Royal Commissions Act provides that a person appointed by the Attorney-General to assist a commission or authorised by the commission to appear before it for the purpose of representing another person has the same protection and immunity as has a barrister in appearing for a party in proceedings in the Supreme Court and, where the person so appointed or authorised is a barrister or solicitor, he is subject to the same liabilities as he would be in appearing before the court.

It refers not to responsibilities and obligations but more to liabilities. If the Leader would prefer me to have my officers check the position in Victoria, Queensland and Tasmania, I am willing to do that. I am satisfied that the Bill does not need any amendment. Counsel will be protected by qualified privilege, but I will not push the matter through. I want to ensure that everyone is satisfied that the amendment is a reasonable one and does not need to go further.

The Hon. C. J. SUMNER: I thank the Attorney for the information that he has provided, but I still have some doubts about the matter. It may not be just a matter of drafting, because a policy question may also be involved, that is, whether or not counsel, including counsel assisting the commission, should have the same absolute privilege that the Royal Commissioner and any witnesses appearing before the commission will have if this Bill is passed.

I can see, as they apparently have seen in Western Australia, that counsel assisting the commission may be in a special position because, as I indicated by way of interjection, counsel does not just appear as such before a royal commission but is, in effect, the Royal Commissioner's right-hand man in an inquiry. Often, counsel assisting and the Royal Commissioner act in close co-operation. Indeed, I understand that in the case that led to the introduction of this Bill the submission from Mr Lewis which became the subject of the defamation proceedings was given by his counsel not to the royal commissioner but to counsel assisting the royal commission. The counsel assisting the royal commissioner distributed it to the other parties or to the counsel acting for them in the proceedings.

As the Attorney-General has indicated, qualified privilege apparently applies to counsel assisting the commission in those circumstances and, therefore, it is unlikely that counsel could be sued for defamation for having published the libel. Nevertheless, there are two issues of principle. The first is whether or not a royal commission and its proceedings, including statements by witnesses and counsel, should be placed on the same basis as the proceedings before a court. The general understanding has been that the privilege that attracts to a court also attracts to a royal commission, and that now appears not to be the case. So, there is a policy question that needs to be answered. I am not sure that the Attorney has answered that satisfactorily. I cannot see any real reason why the privilege that applies to a court should not also be available to a royal commission.

The second question is then a matter of drafting and, if the policy question is answered in the affirmative, namely, that the same privilege should apply to royal commissions as applies to courts, the Bill needs to be amended. In view of the Attorney's answer, it is a matter to which I would like to give further consideration, I ask him to report progress so that I can perhaps consider amendments later.

The Hon. K. T. GRIFFIN: I am willing to co-operate on this question. It may be that when I have further considered the matter I may want to move amendments to deal with those raised by the Leader. I do not wish to detract from the point that he has raised, but I want the Bill to be put

in order. I should have thought that counsel assisting the commission would be covered by qualified privilege where the principal consideration is whether the statement is made with malice. It would be fairly difficult to establish malice in those circumstances.

I have no difficulty with the concept of the person assisting the commission also being absolutely immune from action for defamation, but I would like to consider that matter further, too, and, if necessary, embody the principle of the question in the legislation. I would therefore see no difficulty in drafting amendments to do that accordingly.

Progress reported; Committee to sit again.

PRISONERS (INTERSTATE TRANSFER) BILL

Adjourned debate on second reading.

(Continued from 25 August. Page 704.)

The Hon. K. T. GRIFFIN (Attorney-General): The Leader of the Opposition has raised a number of questions that I hope will be fully answered during the course of my reply. If, during the course of the Committee consideration of the Bill, other questions require answering, or questions that he has already asked need further amplification, that will be an appropriate occasion to pursue those matters. Again, this is not a Bill on which there ought to be any great division of opinion. Both sides in this Council are of the view that the transfer of prisoners between States is an appropriate initiative that ought to be facilitated as quickly as possible.

The Leader's first question related to why Commonwealth prisoners under Commonwealth law are not covered. The only information from the Standing Committee of Attorneys-General on this topic refers to the cost of transferring and escorting Commonwealth prisoners. As between the States, the administrative arrangements such as those involving the transfer of a prisoner from South Australia to Victoria and a Victorian prisoner to South Australia, will result in a 'cancelling out' effect on costs, but no such arrangement will arise with the Commonwealth so, quite obviously, the cost question must first be resolved by negotiation with the Commonwealth.

The next question asked by the Leader related to when the Commonwealth would legislate on this matter. I have no information that would indicate a time table, although the Federal Attorney-General, in the middle of last year, was anxious that this legislation should be proceeded with. Now that uniform State legislation has been agreed on, I presume that the Commonwealth will proceed with its legislation as quickly as possible. In the same context, the Leader asked whether such legislation will extend to prisoners within Territories. The answer to that question is 'Yes'.

It was also asked why the Chief Secretary is to administer this legislation, although some sections thereof refer to the Attorney-General having an involvement. It is correct to say that, at least in this State, the Chief Secretary has the responsibility for prisoners and, in that context, it is appropriate for him to be the Minister principally responsible for the administration of the Act.

The Standing Committee of Attorneys-General has agreed that the Attorney-General should have referred to him all written requests for transfer for trial so that he is aware of all such requests and, therefore, able to instruct Crown Law officers accordingly. It should be noted in the context of the legislation that the second request made within a year does not have to be referred to the Attorney-General. Transfers for the welfare of prisoners and to attend appeals do not require the involvement of the Attorney-General.

It was asked why, under clause 30, the Attorney-General must notify of his decisions yet the Chief Secretary does not have to do so. I do not have an answer to that question. It is the way in which the matter seems to have developed under the drafting of uniform legislation.

The Hon. C. J. Sumner: It is ridiculous.

The Hon. K. T. GRIFFIN: It is quite proper that the Attorney-General should be required to give notice of his decision, just as it would be quite proper for the Chief Secretary to be required to give notice of his decisions. Certainly, the spirit of the legislation is such that the Chief Secretary would be expected to notify his decisions in the normal course of events.

A question was also asked about clause 8 of the Bill and why a decision is not reviewable by a court.

The Hon. C. J. Sumner: Whereas a decision under clause 10 apparently can be.

The Hon. K. T. GRIFFIN: Certainly, clause 10 does not include an express provision that decisions are not reviewable by a court. In that context it could be reviewable by a prerogative writ. Under clause 8, it is not reviewable; that is an administrative decision. I merely add to what I interjected at the time, namely, that this Bill provides for prisoners benefits that did not previously exist and that the terms of the benefits are such that it is not deemed appropriate to have the Minister's decisions on an administrative basis reviewed by the courts.

There may be many reasons why a request is not acceded to by a Minister who is exercising his discretion, and it would become quite cumbersome if every decision had to be subjected to review by a court. Keeping in mind that this Bill is being provided to benefit prisoners (it is an addition to their benefits) it may, of course, be granted on such terms and conditions as may be appropriate in all the circumstances. It has been agreed that this is appropriate across the Commonwealth.

In relation to clause 5, it was asked why children are not covered by this Bill. I understand from my colleague, the Minister of Community Welfare, that interstate transfers of offenders have been considered by conferences of social welfare administrators and that, at South Australia's initiative, the matter was discussed at the Council of Social Welfare Ministers earlier this year. Draft legislation that has been prepared by Parliamentary Counsel to deal with this matter has been circulated to all States and Territories for consideration and comment.

These amendments would have an impact on the Children's Protection and Young Offenders Act, so the question of young offenders is currently being addressed, again with a view to obtaining uniform legislation on this subject outside the scope of this Bill. If, as I said earlier, any other aspects of this matter need further clarification, I shall be pleased to supply such clarification during the Committee stages of the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—'Order of transfer.'

The Hon. C. J. SUMNER: I move:

Page 5, lines 17 and 18—Leave out all words in these lines.

This clause deals with a situation where a Minister may make a decision ordering the transfer of a prisoner from South Australia to another State. I queried subclause (2) of this clause during the second reading debate, to which the Minister has now responded. There was really no consistency in the attitude of the Government. I do not know whether or not that was the fault of the Government or whether it was overlooked by the Standing Committee of Attorneys-General.

The simple fact is that under clause 8, if the Chief Secretary makes a decision not to order a prisoner to be transferred

from South Australia to another State, then there is a specific prohibition on that decision of the Chief Secretary being challenged in the courts. Yet, when one comes to clause 10, one finds that the Minister there has to make a decision whether to accept a prisoner from another State and may agree or refuse to accept him. There is no subclause in clause 10 excluding the capacity of the court to review that decision. That is totally inconsistent and illogical. There can be no justification for having a clause in relation to one decision which excludes any court review and, in another category of decision, not having that exclusion. I can see no rational justification or logic in that and I am sure that other honourable members cannot see the logic either.

So, the Bill as it is going to go forward—if it goes forward in this form—will be quite illogical and irrational. I do not really see that it should be allowed to proceed in that form. Either clause 10 should be amended to add that the second category of decisions of the Minister, namely, whether to accept the prisoner should not be reviewable by the court, or clause 8 (2) should be deleted.

The amendment I moved would then mean that any decision of the Minister, whether under clause 8 (deciding that a prisoner is to be transferred to another State) or under clause 10 (the Minister deciding to accept the prisoner), would still be subject to prerogative writ challenges. I do not see why a decision by the Minister should be immune from examination by a court.

As all members will know, the capacity for administrative review in South Australia is not very great and can only be done by means of a prerogative writ unless specific procedures are set up for the review of an administrative decision. In this legislation no specific procedures for reviewing an administrative decision have been set up, so there is still the possibility that a prerogative writ may be available. A prerogative writ cannot generally attack the exercise of a Minister's discretion: there has to be some basis for it in that the Minister has acted outside the jurisdiction of the Act, or something of that kind.

I do not see why there is any reason for this legislation or for the normal procedures available in prerogative writs to be unavailable to the person aggrieved. It does not mean that the procedures would be used to any great extent. As I said, the capacity to review a Minister's decision by way of prerogative writ is very limited in any event. So, to get consistency between clause 8 and clause 10 and to ensure that there is still the possibility for action by way of prerogative writ to be taken, I have moved this amendment.

The Hon. K. T. GRIFFIN: Putting aside clause 10, if one looks at clause 8 one can see that there is good reason for the decision of the Minister not to be reviewed by a court or tribunal. The ordinary process would be under clause 7, where the Minister receives a written request from a prisoner to transfer that prisoner to a participating State. The home Minister reaches a conclusion that the prisoner should be transferred in the interests of the welfare of the prisoner and gives notice to the Minister in the other State of that request and of the opinion and then the Minister in the participating State responds and either says, 'Yes, I will accept the prisoner', or, 'No, I will not'.

If, under clause 8, the Minister in the receiving State says, 'Yes, I will accept the prisoner', then for all practical purposes that completes the transaction, except that the prisoner may have committed offences within the prison in the home State between the date of making the request and the date of the Minister in the receiving State responding. It may be that the Minister in the home State then wants to call a halt to it and say, 'No, because of this offence within the prison I am not going to proceed with the transfer', or the Minister in the receiving State makes a proposition which says, 'Yes, I will consent to the transfer of the prisoner to my State upon the following terms and conditions', which may be totally unacceptable to the Minister in the home State.

We do not want to be in a situation where the Minister in the home State then says, 'Well, no, I am not going to transfer the prisoner', but finds himself the subject of a prerogative writ when there has not been consensus between the Minister in the home State and the Minister in the receiving State. Yet, the technical requirements of the section may have been complied with.

There are good reasons why clause 8 (2) should remain in the Bill. It may be that the same sort of clause ought to be in clause 10, but one needs to look at clause 10 in the context of the whole transaction. It is couched in terms that the Minister of the receiving State may refuse to consent or may consent to the transfer and then gives that notice to the Minister in the home State. Perhaps ideally that decision ought to be specifically excluded from any review by a court or tribunal, but I suggest that that is less likely to be the subject of a review by prerogative writ than a decision of the Minister in a home State who has the custody of the prisoner at the time the request is made and at the time the procedures are being followed prior to final decisions being taken.

I believe that clause 8 is all right and that it should stand as printed, and that clause 10 is adequate as it is. Perhaps there is a good reason for including also a provision that the decision is not reviewable by a court or tribunal, but it is not a matter about which I feel so strongly in respect of clause 10.

The Hon. C. J. SUMNER: The Attorney-General has made some sort of a fist of trying to explain the inexplicable but, not surprisingly, I remain completely unconvinced. The Hon. Mr Burdett mumbles to himself, but he has some pretensions to being a lawyer—

The Hon. J. C. Burdett: And I am quite convinced by what the Attorney-General has said.

The Hon. C. J. SUMNER: That, I think, places him in the same category as the Attorney-General. I am sure that any reasonably logical person who examined the Act would see the inconsistency and the illogicality I have pointed out. In clause 8 one category of decision, that is, the decision to transfer a prisoner to another State, is specifically excluded from any review by the court, but the decision in clause 10 that the same Minister makes to accept a prisoner into the State has no such exclusion from review by the court. There can be no logical distinction between those two categories of decision. Both affect the prisoner—one to send him to another State and the other whether to accept him into this State—and yet in relation to those two decisions we have two provisions—

The Hon. K. T. Griffin: There is a different interest.

The Hon. C. J. SUMNER: They are different decisions. One is to transfer him from South Australia and the other is to accept him into South Australia. How can one say that they are different in the sense that one—

The Hon. K. T. Griffin: One has control of the prisoner and the other has not.

The Hon. C. J. SUMNER: But in terms of the prisoner's rights—

The Hon. K. T. Griffin: He is getting a benefit out of this.

The Hon. C. J. SUMNER: All right, but in terms of individual rights, where a decision is made and where it affects him, the decisions are in the same category. One is a decision to transfer him and the other is a decision to accept him. For the legislation to work, both the decision in the other State and the decision in this State have to be given effect to. Both situations require decisions of Ministers and yet the legislation, for some curious reason, says that

one category of decision can be potentially challenged in the courts and the other cannot be.

The Attorney-General has not been able to convince me, or, I would suggest, anyone who looks at it reasonably, that there is any rational basis for that distinction. I do not think there is justification in any event for a clause of this kind. I have indicated to the Committee, and the Committee well knows, that the capacity to review administrative action and Ministerial decisions in this State is very limited. It can be done only by way of prerogative writ, and the prerogative writ does not challenge the Minister's discretion as such but merely challenges whether or not he has acted in accordance with his jurisdiction as laid out in the Act; whether or not he has followed the procedures under the Act, and arguments of that kind can be addressed by way of prerogative writ. The exercise of the discretion and the capacity for that to be investigated by way of prerogative writ are, as I am sure the Hon. Mr Burdett would have to agree on this occasion, quite limited.

A whole range of administrative decisions is made by Government officers at Ministerial level or below it every day. They are not subject to daily court challenge, but they may be challenged in certain circumstances such as those I have outlined. Why should we say that this category of decision should not be available to challenge by way of prerogative writ? This type of clause is not very common in legislation; it is not common to have in legislation a clause which excludes the court's capacity to look at an administrative decision by way of prerogative writ. Indeed, when such a clause was brought before the Parliament in the petrol rationing legislation that came before us in the time of the previous Labor Government, the Attorney-General attacked very vigorously a clause in that legislation which would have meant that the Minister's decision on whether or not to issue a permit could not be challenged by way of prerogative writ.

I cannot see why in this case it should be subject to exclusion. In that case there was an argument in favour of an exclusion of the court's jurisdiction, because that was emergency legislation, and relied on administrative speed for it to work; also, it had a limited life. Perhaps there was some argument in that case for excluding the court from a say in the decision, but in this case we are putting permanent provisions on the Statute Book, excluding the courts from one category of decision but not from another, and going against the general tenor of legislation, which is that prerogative writs are available in a limited way to review Ministerial discretion. I would have thought that the Committee would see this illogicality, this inconsistency, and to correct it I believe that subclause (2) should be deleted.

The Hon. K. T. GRIFFIN: I do not accept that subclause (2) should be deleted. I have already spoken at length on the emphasis of clause 8, and also to make the point that this Bill is a benefit to prisoners, a means by which the transfer of prisoners can be facilitated in the circumstances envisaged by the Bill. I think it would be quite intolerable for the administration of this Bill if the decisions of the Minister in determining whether or not it was appropriate for a prisoner to be transferred should be subject to appeal.

The Committee divided on the amendment:

Ayes (8)—The Hons Frank Blevins, G. L. Bruce, B. A. Chatterton, J. R. Cornwall, M. S. Feleppa, Anne Levy, C. J. Sumner (teller), and Barbara Wiese.

Noes (11)—The Hons J. C. Burdett, M. B. Cameron, J. A. Carnie, L. H. Davis, M. B. Dawkins, R. C. DeGaris, N. K. Foster, K. T. Griffin (teller), D. H. Laidlaw, K. L. Milne, and R. J. Ritson.

Pair—Aye—The Hon. C. W. Creedon. No—The Hon. C. M. Hill.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clauses 9 to 29 passed.

Clause 30—'Notification to prisoners of certain decisions.'

The Hon. C. J. SUMNER: I move:

Page 14, line 35—After 'the' insert 'Minister or the'.

This clause provides that when the Attorney-General makes a decision about a prisoner he shall advise the prisoner of that decision. As I have pointed out, the Attorney has a role to play in relation to a decision to transfer a prisoner for trial. The Chief Secretary is responsible for the administration of this legislation and for decisions to transfer prisoners for their welfare and to transfer them back to their original State.

It is quite extraordinary that this clause refers to the Attorney-General as the Minister who must advise prisoners of a decision. Clearly, the bulk of the administration of this legislation lies with the Chief Secretary and he will make the majority of the decisions. Does any other clause of this Bill place the same obligation on the Chief Secretary to advise a prisoner of a decision? Apparently, the Bill contains no such equivalent clause. My amendment will provide that both the Chief Secretary and the Attorney-General should advise a prisoner of the reasons for any decisions that are taken.

The Hon. K. T. GRIFFIN: There seems to be no reason why the amendment should not be accepted. However, I would like to check the effect of the Leader's amendment. I was not aware that the Leader was going to move that amendment, but I am not criticising him for that. I suggest that the Committee report progress, and I may be in a position to accept the amendment tomorrow.

Progress reported; Committee to sit again.

REFERENDUM (DAYLIGHT SAVING) BILL

Adjourned debate on second reading.

(Continued from 26 August. Page 776.)

The Hon. M. B. DAWKINS: I wish to discuss this Bill which will belatedly give the population of South Australia an opportunity to express an opinion on whether or not daylight saving should continue to be observed in this State. The previous Government introduced daylight saving on a year-to-year basis, and eventually made it a permanent feature of our lives from the last Sunday in October to the first Sunday in March each year. I believe it is more of an imposition in this State than in any other because, except for the eastern-most portion of South Australia, we have had a permanent half hour for Adelaide, and the best part of one hour for the western areas of South Australia, of daylight saving ever since the present time structure was established at about the turn of the century, just before Federation.

At an earlier time, the time structure in Australia was established in this way: the 120 degree east meridian obtained for Western Australian time; the 135 degree meridian was taken for central time, or South Australian time; and the 150 degree meridian was taken as the base for Eastern Standard Time, with one hour differentiating each of those time slots. The meridian in Western Australia was eight hours ahead of Greenwich mean time, nine hours ahead in South Australia, and 10 hours ahead in the Eastern States.

Just prior to Federation, for business reasons, the then South Australian Government was persuaded to alter the situation and bring South Australian time within half an hour of that applying in the Eastern States, rather than remaining one hour behind. That has meant that for the past 80 years or so we have had about half an hour's daylight

saving, and nearly one hour's permanent daylight saving in the far western part of the State. This has been an imposition for people to put up with. I am not suggesting for one moment that we should go back to being one hour behind the Eastern States, which obtained until the late 1890s. However, I suggest that, when we are considering daylight saving, the fact that South Australia has had a measure of permanent daylight saving should be considered in determining the level of daylight saving, if any, that should be continued in South Australia.

I raise that aspect because, when we altered the time structure from one hour behind Eastern Standard Time to half an hour behind that time, we worked on a meridian not 135 degrees east, which went west of Port Lincoln, but on the meridian 142 degrees, which goes through either Warrnambool or Portland in Victoria. That means, with the exception of the areas in the eastern-most parts of the State, such as Bordertown, Naracoorte, Mount Gambier, Renmark or Pinnaroo, to name but a few of the towns close to the Victorian border (their time would be almost accurate), the balance of the State has some permanent daylight saving in the central area and, I suggest, a real imposition for people in the western areas.

Honourable members should realise just how much more of an imposition the present daylight saving legislation is on the western part of South Australia, in particular and, I believe, the previous Government should have had some consideration for people in those areas long ago, when it first introduced this measure. I commend this Government for introducing this Bill and for arranging for a ballot and an objective summary of both sides of the question to be prepared for distribution at election time by the Electoral Commissioner.

Also, I commend the Government for honouring its promise to enable the people to have a say in this matter, late as it is. Further, I approve of the referendum being held at the time of the next election, thus ensuring the most economical method of referendum. I stress that, if the referendum is carried, consideration should be given to the fact that we already have some permanent daylight saving in South Australia throughout the year.

It is widely assumed that this referendum will be carried overwhelmingly, and this may be the case. However, I remind honourable members about what happened in Western Australia, where it was freely considered that similar legislation would pass, but it was subsequently found that a significant portion of city people were opposed to it. Country people in Western Australia could not possibly defeat such a proposal without considerable help from their city cousins, which they gained in that instance.

Honourable members would be aware that I do not favour daylight saving, especially in the conditions mentioned, which I have, where the great majority of South Australians already have this permanent level of daylight saving to which I have referred. Therefore, I am basically opposed to daylight saving as such. However, opposed as I am in these circumstances to the general concept, I am in favour of the people being given the opportunity to decide the matter and, therefore, I support the Bill.

The Hon. J. A. CARNIE: I will speak briefly to the Bill in order to set the record straight. On 15 September 1971 a Bill to provide for daylight saving from 31 October 1971 to 27 February 1972 was debated in another place. I must correct the Hon. Mr Dawkins about one matter: daylight saving was not introduced on a year-to-year basis more than once. The Bill introduced in September 1971 was for a trial period of one year.

On 21 September 1972 a Bill was introduced in another place to provide for permanent daylight saving from the last Sunday in October to the first Sunday in March each year. In speaking to both of those Bills I spoke and voted against them. I said that I wanted to set the record straight, and I want to say that at that time I was speaking on behalf of my electorate, and I was not reflecting my own view on daylight saving, of which I am in favour.

The Hon. N. K. Foster: That was when you represented the district of Flinders, a West Coast electorate.

The Hon. J. A. CARNIE: Yes. The Hon. Mr Dawkins referred to the disadvantages that people in the west suffer under daylight saving. I have no hesitation in saying that there are some disadvantages, and it would not hurt to reiterate some of the arguments which I put forward when I spoke to the Bills in 1971 and 1972. As the Hon. Mr Dawkins said, the meridian of longitude on which South Australian time, Central Standard Time, is based is 142 degrees and 30 minutes, which runs through Warrnambool in Victoria, about 130 kilometres over the border.

As the Hon. Mr Dawkins said, before 1895, the meridian taken was 135 degrees, which is nine hours ahead of Greenwich mean time. That meridian runs slightly to the east of Elliston. The Eastern States take their time from the 150 degree meridian. That meridian passes close to the eastern seaboard of Australia. It runs through Cape Howe, the most eastern point of New South Wales. In fact, that meridian misses altogether Victoria and Tasmania, in the same way that the meridian on which South Australian time is based misses South Australia.

In dealing with the argument that has been going on for as long as I can remember, that South Australia should be in time with the Eastern States, that central time should be moved forward half an hour to be the same as Eastern Standard Time in order to facilitate business between South Australia and the Eastern States, I must ask why this is considered to be necessary. In his speech, the Hon. Mr Blevins referred to advantages for business, but I point out to the Council that America has four time zones, all one hour apart, which means that there is a three-hour time difference between San Francisco and New York.

Canada has five one-hour time zones, so there is a four-hour time difference between Nova Scotia and Vancouver. I cannot imagine that they have any difficulty conducting business in the United States of America because of these time differences, so I cannot accept the argument that we should go to the same time as the Eastern States to facilitate business negotiations. Accepting for one moment that there would be advantages in doing that, it would be much more logical for Eastern Standard Time to come back to Central Standard Time and to the meridian which runs, roughly, through Warrnambool, the geographical centre between the far east of the Eastern States and the Western Australian and South Australian border. That is away from the question of daylight saving.

The Hon. R. C. DeGaris: I do not know that it is, really. I think that people should be able to express that point of view.

The Hon. J. A. CARNIE: Quite so, but what I said has no relevance to the Bill that we are debating. I merely made that point in passing. I am inclined to agree that that question should be put to the people, although I will not accept the argument that it is necessary or vital for business hours to be the same as they are in the Eastern States. America conducts its much greater amount of business quite satisfactorily despite its differing time zones, so I am sure that we, too, can do that.

As the Hon. Mr Dawkins said, all of South Australia has some form of daylight saving. All of South Australia lies to the west of the meridian on which our time is based. I have taken my next comments straight from a speech that I made on this subject in 1971. I am sure that my figures were

accurate then, so I am quite happy to use those figures again. Mount Gambier is seven minutes behind sun time; Adelaide is 16 minutes behind; Port Lincoln is 27 minutes behind (and here we are getting close to the half hour of daylight saving to which the Hon. Mr Dawkins referred); Ceduna is 35 minutes behind; and, on the border of Western Australia and South Australia, they have 54 minutes of daylight saving in normal time.

Very few people are affected by that. I am using my remarks to point out that the whole of South Australia, which is a large State, lies to the west of the meridian on which our time is based. It is quite obvious that the western areas are, to some extent, adversely affected by daylight saving. I will not go into all the arguments about this that I raised in 1971. However, the farmers were most unhappy about daylight saving, particularly those growing crops on the lower Eyre Peninsula, because those crops were affected by moisture to the extent that farmers could not start reaping until mid afternoon and, by the time that they were ready to take their wheat to the silos, they were closed. I remember that as member for Flinders I raised the question of opening the silos two hours later in the morning and closing them two hours later in the afternoon. Everyone was quite agreeable to do that, provided that time and a half was paid for the extra two hours of extended time. So, it never came to pass. If it had, the additional costs would have been passed on to the farmer.

The Hon. R. C. DeGaris: What about the schoolchildren?

The Hon. J. A. CARNIE: I am coming to that subject, which was the main one that I used to oppose the Bill that was introduced in 1971-72. I do not think that city people realise the difficulties and time involved for children in remote areas who must spend so much time in school buses each day. The extreme example of this was brought to my attention by a woman who approached me at that time. Her children caught the school bus at 7.15 a.m. and arrived home at 6 p.m. That is a long day for anyone. At the end of February, or in early March, the sun does not rise until 7.15 a.m., so those children caught the bus in the dark for a good part of the year, because 7.15 a.m. is also the time at which the sun rises in July, which is the middle of the winter. Therefore, not only did 11 hours pass between those children catching the bus and their arriving home at night, but also for a good part of the year they had to catch the bus in the dark. There is no doubt that this has an adverse effect on children. As I have said, the Hon. Mr Blevins has also referred to this.

The Hon. Frank Blevins: What about my solution?

The Hon. J. A. CARNIE: I was about to come to the honourable member's solution, namely, altering school sitting times. I remember having an exchange across the floor with the Hon. Hugh Hudson, the then Minister of Education, after he made the same comment. As the member for that district, I approached all school headmasters to discuss the practicality of changing school times, but found that it was not really practical.

The Hon. Frank Blevins: Why?

The Hon. J. A. CARNIE: For one thing, it does not suit everyone. Another matter often raised by headmasters was that, although the schools could adjust their time tables and farmers could adjust their working hours, people were still dependent on other sections of the community such as shops and banks. The situation where both parents are working, for instance perhaps with the husband in an office and the wife in a shop, their time being governed by the hours of business, meant that the changing of school times by an hour would inconvenience those people. I accept that that could be a solution, but, when one goes into this sort of thing, as I did in 1971, one finds that several practical difficulties are associated with implementing such a suggestion.

The fact remains that, although the Minister of Education at that time gave all schools an opportunity of changing their sitting times if they wished to do so, not one school did so; nor has any school done so since. I believe that that option is still available to schools. The only school of which I know that has altered starting and finishing times by an hour is Booleroo Centre, but that was done because of the excess temperatures experienced there and had nothing to do with daylight saving.

I think I have put forward (as I did on the previous occasion that this matter was discussed) many good, cogent reasons against daylight saving. However, my heart was not in doing that because I like daylight saving. When I spoke about this matter previously, I was speaking for the people of my district (which I think is the role of a local member), whereas now I think that we must look at the position of the whole of the State. Unfortunately, one must accept that people on the West Coast, who are most adversely affected by daylight saving, are in a minority. It seems that the majority of people want daylight saving.

I believe that, on the whole, it is of benefit to the community to have daylight saving. The Hon. Mr Blevins said that the Leader of the Opposition in another place announced that the A.L.P. would support a 'Yes' vote on a referendum into daylight saving, he then went on to speak about sport and leisure, making comments with which I agreed. I enjoy the extra time available for swimming, gardening and enjoying the long evenings. Also, one must look at the energy saving that is brought about by daylight saving and remember that that is one of the main reasons why daylight saving was introduced.

I was fairly young at the time, but I believe that daylight saving was introduced for one or two summers during the war to conserve energy. Again, I have not checked to authenticate that. I recall that, after the first summer of daylight saving at that time, a news report stated that the revenue of the Electricity Trust of South Australia had dropped by $100 000.

The Hon. N. K. Foster: They never had air-conditioning in those days.

The Hon. J. A. CARNIE: That is true, but there were other factors to be considered. However, during that first summer of daylight saving there was a direct decrease of $100 000 in revenue for the Electricity Trust. This was borne out earlier this year when it was decided to continue daylight saving in New South Wales for a further 12 months, solely to save energy because New South Wales had mismanaged its energy programme. People there did not show enough forethought, so that State is in a real mess with its energy and power supplies.

I believe that there is no reason for this referendum and that it will be an unnecessary exercise. Like the Hon. Mr Blevins, I am glad that it is being held in conjunction with a general election because that will minimise its cost. Opinion polls throughout the years have shown quite definitely that the majority of people favour daylight saving. However, this was an election promise.

The Hon. M. B. Dawkins: It did not turn out that way in Western Australia.

The Hon. J. A. CARNIE: I do not know that the polls showed it that way. Certainly, the result of the referendum was very close, the difference being only 1 per cent or 2 per cent.

The Hon. Frank Blevins: Then the Government ignored it.

The Hon. J. A. CARNIE: The point is that it was a Government election promise which, like other election promises, is being carried out. For that reason, I support

the Bill and hope and believe that it will be carried by a huge majority.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 25 August. Page 693.)

The Hon. ANNE LEVY: The Opposition supports this Bill, which has several purposes relating to land tax. Land tax, as all members know, is a very equitable tax based on the value of land, that value being determined largely by community related activities. So, because of community activity, certain individuals benefit in terms of the resulting value that that gives to their land. In consequence, it is a progressive measure that land tax should be paid on the value of the land for which the increased value benefits the individual paying the tax but results from, in a large measure, community based activity.

The Bill before us makes several amendments to land tax, in addition to amendments to the Land Tax Act which were considered earlier in this Parliament when the abolition of land tax on the principal place of residence was considered. One sometimes wonders why land tax has been abolished on the principal place of residence when other property-based taxes, such as water and sewerage rates, have been increasing at extraordinary rates and form a far greater burden on the householder than land tax ever did. Since the abolition of land tax, the increase in water and sewerage rates has far exceeded any reduction in property rates resulting from the abolition of land tax. Householders have certainly lost out in the combination of the measure introduced by this Government.

The Bill provides for the exemption of land tax in certain situations such as land owned by bodies under the control of local government, where joint projects are to be undertaken. This seems eminently sensible, particularly as co-operative projects, whether they are for garbage disposal or other local purposes, are very often to be encouraged in the interests of efficiency. It seems eminently sensible that land tax exemptions should apply in such cases.

Likewise, the Bill provides for exemptions, either total or partial, of land tax for certain non-profit bodies. These provisions will allow for exemptions of land tax were non-profit bodies provide, for example, aged persons' housing. People living in that type of accommodation will have those houses as their principal place of residence and, although that property may not be in their names, it will be in the name of a non-profit organisation that is providing residences for people, such as pensioners, and it would seem desirable and sensible that the exemption for a principal place of residence should be extended to such non-profit making bodies.

One other matter dealt with in the legislation relates to the avoidance of land tax, and included in the Bill are clauses that attempt to tighten certain loopholes through which people have been avoiding land tax. The main form of land tax avoidance seems to be splitting up the ownership of parcels of land amongst a number of people, and in this way multiple holdings tax, aggregation of holdings and progressive tax rates are avoided. The amendment will prevent the use of trusts as devices for land tax avoidance, by splitting the ownership between a number of trustees holding land for trust.

The Attorney, in introducing this measure, was not very specific in terms of how much avoidance of land tax has been occurring because of this loophole. We recently have had much publicity about tax avoidance at Federal levels and about the various loopholes which are finally being closed to prevent such tax avoidance. However, at a Federal level, much publicity has been given to cost estimates of the tax avoidance that has occurred and about how much revenue will accrue to the Government as a result of closing the loopholes. However, information in this regard has been completely lacking in the speeches by Ministers in this Parliament.

We are told that this measure is designed to reduce land tax avoidance, and it is quite clear how this will be achieved. However, the Minister has given no indication whatsoever of the extent to which this avoidance and loophole have been used and the extent to which the Treasury may expect to benefit by closing the loophole. I imagine that estimates have been made of the effect of closing this loophole, and I feel that Parliament should be informed of the benefits that will accrue to revenue from our doing so. I hope that the Minister may be able to give us an indication of this.

Another matter that is dealt with in this Bill relates to the changeover of title with the sale of land and certificates issued in respect of land tax when titles were being changed over. This part of the legislation will not be proclaimed at the same time as the rest, because to implement it properly will require the computerisation of records which, we understand, is proceeding in the Lands Titles Office but which has not yet been fully achieved.

This will reduce uncertainty in land tax transactions once it has been achieved, as information regarding land tax payable will be obtained rapidly. I hope that it will eliminate problems of the type brought to me recently by some constituents. They had purchased a property, having sold their previous home, in which they intended to live. They purchased the property in July and moved in shortly afterwards, and then found that land tax was payable on the property because, at the relevant date for land tax, the property had been not in their name but in the name of the previous owner. It had not been the previous owner's principal place of residence, and therefore land tax was payable on it.

One may say that this was the fault of the land broker, who had not checked on the land tax payable, and that the amount involved should have been deducted from the purchase price paid. However, the broker had not done this and, under the current system of registration of titles, I understand that it would have been a difficult although certainly not an impossible situation to discover it at the time of the sale of the house. Certainly, I hope that, when the provisions of clause 15 are implemented, such oversights will no longer occur and that we will no longer have a situation such as that which occurred with my constituents, who found themselves some months later, having moved into their new home, liable for land tax which should have been paid by someone else but which was no longer recoverable from those other people.

The Opposition supports the measure and, in summary, has only one major query as to how much the Treasury may expect to benefit from closing the loophole in tax avoidance resulting from the provisions of part of the Bill.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

DEVELOPMENT PLAN

Adjourned debate on motion of Minister of Community Welfare:

That the following resolution of the House of Assembly be agreed to:

That, pursuant to section 40 of the Planning Act, 1982, the development plan laid before Parliament on 17 August 1982 is approved.

(Continued from 26 August. Page 777.)

The Hon. ANNE LEVY: I shall speak briefly to this matter. The Opposition supports the motion, which arises from amendments to the Planning and Development Act introduced by the Hon. Mr DeGaris when the measure was before the Council earlier this year. One of the results of the new planning legislation is that there will be an amalgamation into one document of various forms of planning document. The development plan under the planning legislation will include zoning regulations, which previously have always gone through the Subordinate Legislation Committee, and authorised development plans, which thereby achieve a force of law that they have not had in the past. Because of that, this Council agreed that some machinery should be adopted to provide for a Parliamentary overview of these planning documents, so that matters of policy would be available for scrutiny by Parliament and would not come into being merely by bureaucratic processes.

Therefore, we have before us the motion, which results from the legislation and is in fact an approval of the six-volume document tabled in this House 10 days ago by the Minister of Community Welfare. I have not examined the six-volume document in detail; I very much doubt that any member of Parliament has done so. We just have to hope that the documents are in fact what they are supposed to be, that is, an amalgamation of all previous development plans, zoning regulations, and so on, into one complete document. Certainly, there is not meant to be any new material in this development plan. It should be just a scissors and paste job putting together all the regulations and plans previously adopted. I trust that that is the situation and that there is no new material that has not been previously considered. I am sure that I am not the only member of Parliament who will have to take on trust the Minister's word that there have been no alterations but that this is merely a scissors and paste job of what has been in existence previously.

A number of people have expressed considerable concern over this six-volume development plan. Various lawyers whom I know are convinced that it will provide them with work for many years and that, as a result of this six-volume plan, there will be inconsistencies and contradictions that will keep the lawyers and the Planning Appeal Board occupied for a considerable time to come. Whether or not that is true remains to be seen. It may well be that there are inconsistencies and contradictions and that amendments will be required at a later date. Hopefully, this can be done without too much difficulty. However, the document before us is certainly not intended to do anything new; if there are inconsistencies and contradictions, they are existing inconsistencies and contradictions if the plan is just an amalgamation of existing material.

I understand that the Local Government Association is unhappy about the six-volume development plan, believing that there has not been sufficient consultation on aspects of the matter, and, certainly, that it would wish to have more time to consider it. However, I am not really able to judge all its dissatisfactions, and I realise that the Government wishes to get this measure through as quickly as possible so that the new Planning Act can become operative.

The legislation that was passed last February cannot come into operation until the development plan has been approved by Parliament. The six-volume document represents an incredible piece of work by departmental officers. They are to be congratulated for producing this plan within such a short time. It may seem a long time since legislation was passed, but when we realise how much work has been required to put this development plan together we can appreciate the dedication of those involved and the hard work that they have put into its production. I believe we should appreciate their efforts, which will result in the new Planning and Development Act coming into operation as soon as possible.

I have one small niggle which is of concern to some local councils. This matter does not really relate to the development plan but results from the regulations which accompany it and which will be considered by the Subordinate Legislation Committee. I understand that until now some instrumentalities such as the Housing Trust have not been required to submit plans for approval to local government. However, they have usually paid local government the courtesy of informing them of their plans. By law, these instrumentalities are not strictly constrained by decisions of local government and submit any applications for development to the planning authority. This is not being changed. However, I understand that under the regulations certain other bodies are being placed in the same category as the Housing Trust.

Until now the Metropolitan Fire Service has had to apply to local government for planning permission, but when the regulations are passed it will no longer be required to do that. However, it may continue to do so as a matter of courtesy in the same way as does the Housing Trust. I understand that some local councils are concerned about this matter and the increasing number of instrumentalities that will not have to seek their planning approval by law. I realise that this niggle relates not specifically to the motion but to the regulations resulting from it which are being considered by the Subordinate Legislation Committee at the moment. I certainly wish that committee well in its deliberations on those regulations.

In brief, the Opposition supports this measure and trusts that it will have the effect that is intended, realising that amendments may result from supplementary development plans which are in the pipeline in certain local government areas and which will have to come before Parliament later. This may seem messy, but I think that waiting for them to be incorporated would hold up the operation of the new planning Act. It would also mean that the plan before us was not just an amalgamation of existing material but that it contained new material that it was not intended to contain when the development plan was drawn up.

The Hon. J. A. CARNIE secured the adjournment of the debate.

ADJOURNMENT

At 5.37 p.m. the Council adjourned until Wednesday 1 September at 2.15 p.m.